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Wednesday, December 9, 1959  
Agrahayana 18, 1881(Saka)

## LOK SABHA DEBATES

Ninth Session  
(Second Lok Sabha)



LOK SABHA SECRETARIAT  
NEW DELHI

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## LOK SABHA DEBATES

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### LOK SABHA

Wednesday, December 9, 1959/Agra-  
haya 18, 1881 (Saka)

The Lok Sabha met at Eleven of the  
Clock.

[MR. SPEAKER in the Chair]

### ORAL ANSWERS TO QUESTIONS

#### Loans from Foreign Countries

+  
Shri Ram Krishan Gupta:  
Shri Ramji Verma:  
\*697. { Shri D. C. Sharma:  
Dr. Ram Subhag Singh:  
Shri P. C. Borooh:

Will the Minister of Finance be pleased to refer to the reply given to Unstarred Question No. 454 on the 10th August, 1959 and state:

(a) whether the negotiations on details of the loans to be given to India by Japan, Canada, U.K., U.S.A. and West Germany have been completed; and

(b) if so, the outcome thereof?

**The Deputy Minister of Finance**  
**Shrimati Tarkeshwari Sinha:** (a) and (b). Negotiations for a credit of 19 million from the United Kingdom have since been completed and an agreement was signed in London on the 25th November, 1959. Copies of the credit agreement will be placed in the Parliament Library for reference by hon'ble Members as soon as they are received. Canada has so far announced a grant of \$7 million under the 1959-60 Colombo Plan Programme. Arrangements with the other countries are still in various stages of negotiation.

**Shri Ram Krishan Gupta:** May I now the purpose for which the loan

received from the U.K. will be utilised?

**Shrimati Tarkeshwari Sinha:** The terms I can indicate. But, the exact purpose for which the loan will be utilised, I will not be able to indicate now.

**Shri Ram Krishan Gupta:** In reply to a previous question, the hon. Finance Minister stated that the World Bank has granted three loans aggregating to about Rs. 40-47 crores. May I know the total amount of loan which has been secured so far from the World Bank?

**Shrimati Tarkeshwari Sinha:** This question only refers to the conference. Therefore, I am in a position to give the expected new loans which would be available. It was indicated from the World Bank that additional disbursement of about 65 million dollars would be available in 1959-60. So far we have received much larger amounts.

**Shri Damani:** May I know, out of this loan and the loans which we are negotiating, what amount will be allotted for industries in the private sector?

**Shrimati Tarkeshwari Sinha:** The private sector will also get help from this.

**Shri Hem Barua:** May I know whether it is a fact that our Finance Minister during his recent visit to the U.K. had private talks with Mr. MacMillan and Heathcote Amery about financial help to this country during the remaining years of the Second Five Year Plan and the Third Five Year Plan and if so, whether this is covered by this loan?

**Shri Morarji Desai:** I had no specific talks about the Third Five Year Plan. We had only general talks. There was no Plan fixed yet. For the remaining years of the Second Plan, talks will be held by the World Bank with all those countries. After the talks are held and sums are fixed, then, we have talks with the different countries to negotiate the terms. But, the things will be fixed at the World Bank conference that would be held some time next year.

**Shri Hem Barua:** I wanted to know whether he had private talks with Mr. MacMillan.

**Shri Morarji Desai:** All talks were private. I had no public talks with him.

**Shri Tangamani:** May I know how much out of the £19 million received from the U.K. and 7 million dollars received from Canada is being earmarked for the public sector and how much for the private sector?

**Shri Morarji Desai:** There is nothing earmarked for anything. It will be utilised as orders are placed from whatever sector they are as they are required.

**Shri Damani:** May I know whether out of the amounts of £19 million and 7 million dollars, the entire amount is to be utilised in purchases in the U.K. and those countries or we can purchase in other countries?

**Shri Morarji Desai:** They have to be purchased in the country concerned.

**Shri V. B. Patel:** मैं यह जानना चाहता हूँ कि हमारी सरकार जो यह कर्त्रे लेती है इनका कितना परसेंट उत्पादक कामों पर लब्ज़ करती है, और जो लब्ज़ करती है क्या उस पर कोई नियन्त्रण है कि वह ठीक से स्वर्च हो?

**Shri Morarji Desai:** ये सारे लोन उत्पादक कामों के लिये ही लब्ज़ किये जाते हैं,

और दूसरे काम में लब्ज़ नहीं किये जाते हैं, और उनके ऊपर जितना नियन्त्रण मुमकिन हो सकता है लगाया जाता है।

**Shri V. B. Patel:** जो लब्ज़ करते हैं उस पर नियन्त्रण रखते हैं या नहीं?

**Shri Morarji Desai:** नियन्त्रण जरूर रखते हैं, जितना मुमकिन है।

**Shri Mahanty:** The hon. Minister stated that nothing has been earmarked for any sector. May we know what is the objective of the Government in allotting these funds between the private sector and the public sector?

**Shri Morarji Desai:** The objective is economic development of this country.

**Shri Mahanty:** That is too true, to be vague.

#### Prize Bonds Scheme

+  
\*698. { **Shri Ram Krishan Gupta:**  
**Shri Shree Narayan Das:**  
**Shri P. C. Borooah:**  
**Shri M. L. Dwivedi:**  
**Shri Oza:**  
**Shri Damani:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Government is considering a proposal to launch a prize bonds scheme on the pattern of the British Premium Bonds Scheme;

(b) if so, at what stage the proposal is; and

(c) the main features of the scheme?

**The Minister of Finance (Shri Morarji Desai):** (a) and (b). It has been decided to introduce a prize bonds scheme and details are being worked out.

(c) The details of the scheme can be announced only after they are finalised.

**Shri Ram Krishan Gupta:** May I know whether a separate agency will be set up to implement this scheme?

**Shri Morarji Desai:** I cannot say anything until the details are fixed.

**Shri Heda:** May I know whether the prizes that are envisaged under this scheme would be paid out of the interest that would be paid or 4 per cent. interest plus the prizes would be there?

**Shri Morarji Desai:** As soon as the details are fixed, this will be conveyed to the hon. Member.

**Bolani Ores (Private) Limited**

**699. Shri Panigrahi:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether mechanisation of the Bolani Iron Ore Mine has started by now; and

(b) the amount of remuneration which M/s. Bird & Co, the Secretaries and Treasurers to Bolani Ores Private Limited—have received by now in terms of Rupees from the latter?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) The equipment has been received and is being erected, but the raising of ore by mechanised equipment has not started.

(b) The total amount paid up to 30th September, 1958 is Rs. 62,500.

**Shri Panigrahi:** May I know why the Government did not choose to own the majority shares in the Bolani Ores Private Ltd., and only owned equal shares?

**Sardar Swaran Singh:** That was a matter of agreement. I may recall that this matter was discussed—he himself raised it—in a half an hour discussion. There is no new point which has arisen after that.

**Shri Panigrahi:** It was never discussed. The Minister stated that the Government has the major shares in this company and has major control. You will see, according to the Com-

panies Act, unless the Government have 51 per cent. of the shares, it is not considered as major share. The Government has only 50.4 per cent. Why was such an agreement entered into? The private company has 49.6 per cent.

**Mr. Speaker:** It is stated, unless it is 51 per cent?

**Shri Panigrahi:** It is so in the Companies Act.

**Mr. Speaker:** What he says is, this I heard the other day, even if there is 1 point, there is majority. If the Company Law says that 51 per cent. alone will be counted as majority, what is this difference due to?

**Sardar Swaran Singh:** The figures are there. When I used that word, I did not use it in the sense of Company law administration. It was not a legal expression that I was using. 50.5 per cent. is a major share as compared to 49.5.

**Mr. Speaker:** Why should not the Government have control over this by having a major share according to the Company law?

**Sardar Swaran Singh:** It was considered that the agreement that was entered into at that time—this was done several years ago—was the best agreement that could be considered fair both for the Government and the private parties, who were also investing.

**Shri Narayanankutty Menon:** The words used on the last occasion were not majority share, but controlling interest. Even in common usage, there is a lot of difference between majority share and controlling interest. The question is whether we have a controlling interest in the company.

**Sardar Swaran Singh:** You can put your own interpretation. I cannot enter into legal quibble.

**Shri Narayanankutty Menon:** It is not a matter of argument.

**Mr. Speaker:** If the hon. Minister has said that it is controlling interest,

how does it differ? What the hon. Member says is right or wrong. If the hon. Minister said on the prior occasion that the Government has got a controlling interest, and controlling interest could be had only if you have 51 per cent, how does he have controlling interest?

**Sardar Swaran Singh:** I would like to check up what I actually said on the last occasion. Unless I read that, I cannot explain it. I do not remember the exact expression that I used.

**Shri Narayanan Kurty Menon:** He said, controlling interest.

**Mr. Speaker:** He does not have. The hon. Minister says that the agreement was entered into long ago and it is being worked out now. Nothing could be done.

**Shri Supakar:** May I know what is the actual control of the Government over this company?

**Sardar Swaran Singh:** The Government have their nominated directors on the Board of directors. Government receive their report and remains in touch. If there is any particular matter, they have got a right to see that their will prevails.

**Shri Surendranath Dwivedy:** What is the number of directors in the company, and what is the number on behalf of the Government?

**Sardar Swaran Singh:** I am afraid I have not got that information here at the moment. I will require notice for that.

**Shri Heda:** Is this 49.4 per cent. held by private parties held by one party or different share-holders?

**Sardar Swaran Singh:** I think it is held by one corporate body, but in that corporate body itself there is more than one shareholder.

**Shri Joachim Alva:** May I put one question? I rose five times. Please give me a chance.

**Mr. Speaker:** He may rise a hundred times. I am calling one after the other.

**Shri Joachim Alva:** I want to put one question about Bird & Co., as to why this agreement is valid?

**Mr. Speaker:** Order, order. All these questions do not arise out of this question.

**Shri Panigrahi:** May I submit.....

**Mr. Speaker:** Hon. Members will kindly look into the question. Merely because some question comes up here, the whole field is not thrown open. The question is whether mechanisation of the mine has started by now. Let us limit it to that.

**Shri Panigrahi:** But the Government have no control.

**Mr. Speaker:** The questions I have allowed regarding the directors etc., do not arise out of this question.

**Shri Tangamani:** It is about Bird & Co.

**Mr. Speaker:** Maybe. Hon. Members may put a separate question.

#### Autonomous Board for Welfare of Backward Classes

+  
\*700. **Shri R. C. Majhi:**  
**Shri Subodh Hansda:**

Will the Minister of Home Affairs be pleased to state:

(a) whether there is any proposal before Government to entrust the welfare work of the Backward Classes to an autonomous central board;

(b) whether Government have considered the proposal and come to any final decision; and

(c) if so, the nature thereof?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). No, Sir. A recommendation has, however, been made by the Estimates Committee in their 48th Report on the Ministry of Home Affairs in this regard. That recommendation is still under examination.

(c) Does not arise.

**Shri R. C. Majhi:** May I know whether the funds allotted for the welfare work of the backward classes have not been fully utilised; if so, what steps have Government taken?

**Shrimati Alva:** Does that strictly arise out of this question?

**Shri Subodh Hansda:** May I know how long Government will take to consider the proposal?

**Shrimati Alva:** We shall come to a conclusion very soon. We have also asked the Ministry of Commerce and Industry to give us their comments as to how their autonomous boards are working, and as soon as we get their reply as well as from the other autonomous boards, we will come to a conclusion.

**श्री विभूति मिश्रः** क्या सरकार को पता है कि बैंकवर्ड क्लासिज में कुछ ऐसे फास्ट्स हैं, जो फार्वर्ड हो गये हैं और क्या सरकार उन को बैंकवर्ड से फार्वर्ड में रख कर बकिया के लिये इन्तजाम करेगी?

**श्रीमती आल्वा:** सब को फार्वर्ड बनाना है।

**Shri Jadhav:** May I know whether these backward classes are covered by "the other backward classes" also?

**Mr. Speaker:** What does he mean? What are the two different backward classes.

**Shri Jadhav:** There are the Scheduled Castes, Scheduled Tribes and other backward classes.

**Mr. Speaker:** Scheduled Castes and Scheduled Tribes are different from backward classes.

**Shri Sinhasan Singh:** May I know whether this terminology of "backward classes" is confined to certain caste people, or it includes all people who are backward educationally, economically and politically?

**Shrimati Alva:** We have not arrived at any decisive criteria about backwardness.

**Shri Sinhasan Singh:** On what basis, then, are scholarships to backward classes given if they have not arrived at any criteria of backwardness?

**The Minister of Home Affairs (Shri G. B. Pant):** We are giving thought to the question as to whether some minimum income need not be prescribed as the criterion of backwardness.

**Shrimati Ila Palchoudhuri:** May I know what steps are being taken on the various recommendations and changes recommended by the team that was set up to enquire into the welfare of the backward classes, and what progress has been made regarding that?

**Shri G. B. Pant:** Some of the proposals made by the team have already been implemented, and those which call for further consideration are being actively examined.

#### Reading Materials for Neo-Literates

\*701. { **Shri Subodh Hansda:**  
**Shri S. C. Samanta:**

Will the Minister of Education be pleased to state:

(a) whether the production of suitable reading material for neo-literates under the UNESCO Project has made any progress;

(b) if so, the number of such books produced and published upto now; and

(c) the nature of steps taken so far to encourage the production of such literature?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (c). A statement is given below.

#### STATEMENT

- (a) Yes, Sir.
- (b) 62.
- (c) Unesco has taken the following steps under its Project on Reading

Materials for Neo-literates, which was launched in 1955 to encourage production of such literature in India:—  
 (i) Organisation of surveys on Reading Materials, reading interest of general readers and book distribution  
 (ii) Organisation of two art-camps, one in Delhi and other in Bombay, under the guidance of the Swedish book illustrator, Mr. Thomaeus, (iii) Assistance in organisation of National Seminar for Printers and Publishers (which was held at Bombay), and Organisation of a Regional Workshop on distribution of Reading Materials being held at Madras, (iv) Award of two fellowships to Indian Nationals, one for the study of mass production of literature for neo-literates and the other for study in the methods and techniques of production, testing, evaluation and distribution of Reading Materials, (v) Assistance to production agencies by way of award of prizes and help in the production of books specially designed for neo-literates and (vi) documentation of Reading Materials in 6 Major Indian languages

**Shri Subodh Hansda:** In answer to part (c) of the question I find that one of the steps taken by the UNESCO project was documentation of reading materials in six major Indian languages. May I know what those major Indian languages are?

**Dr. K. L. Shrimali:** Selected bibliography of reading material for neo-literates in the major languages of India, Hindi, Marathi, Gujarati, Tamil, Telugu and Kannada, was prepared. I expect that is what the hon. Member wants to know. These are the main languages under which the documentation was prepared.

**Shri S. C. Samanta:** May I know how much money was spent on the National Seminar of Printers and Publishers at Bombay?

**Dr. K. L. Shrimali:** These details I am afraid I may not be able to supply just now.

**Shri Subodh Hansda:** From the statement I find that 62 books have been so far published and produced.

May I know whether Government have any plan to distribute these books free of cost to public libraries?

**Dr. K. L. Shrimali:** The arrangement is that these books are produced, some of the books are selected and free distribution is made to some of the libraries.

**Shri Hem Barua:** There is reference in the statement to national seminar of printers and publishers, and there was a seminar held in Bombay of printers and publishers. May I know the recommendations made by this seminar towards the implementation of the scheme?

**Dr. K. L. Shrimali:** The recommendations of the National Seminar in Bombay will be placed on the Table of the House as soon as we get them.

**Shri C. K. Bhattacharya:** What are the grounds on which these particular languages have been selected for the publication of these books?

**Dr. K. L. Shrimali:** These are the major languages of India. It would not be possible, and the UNESCO do not have adequate funds to publish in all the Indian languages, and therefore some languages had to be selected.

**Shri C. K. Bhattacharya:** My question is on what criteria they were considered as major languages of India. Is there any criterion by which these languages can be judged to be the major languages of India? He has not mentioned all the languages mentioned in the Constitution.

**Dr. K. L. Shrimali:** Some languages had to be selected, and therefore they selected some of the important languages. I do not say the other languages are not important. They are equally important, but some selection had to be made.

**Shri Hem Barua:** May I know why all the eastern languages were neglected?

**Mr. Speaker:** Is Bengali not there?

**Shri Hem Barua:** Neither Bengali, nor Oriya nor Assamese.

**Mr. Speaker:** There may be one Dravidian language, Bengali, Punjabi etc.

**Shri Hem Barua:** Why not Assamese?

**Shri C. K. Bhattacharya:** May I point out that this is selection without any criterion at all?

**Dr. K. L. Shrimali:** I will keep that suggestion in view for the future. I think it would have been much better if we had included some of the languages from the east also. The languages that have been selected are Hindi, Marathi, Gujarati, Tamil, Telugu and Kannada, and I agree it would have been much better if we had selected other languages also. I will try to make up for this omission in future.

**Shri C. R. Pattabhi Raman:** May I know whether any expert was appointed to decide on the selection of languages?

**Dr. K. L. Shrimali:** The selection was made by the R.T.P. Centre of Jamia.

**Shri S. C. Samanta:** Who are the two Indian nationals who have been awarded fellowship for this neo-literate literature and other things?

**Mr. Speaker:** That does not arise out of the main question.

**Dr. K. L. Shrimali:** I have the information, and I am going to satisfy the House with all the information, but it is such a big question which covers the entire field of the UNESCO project spread over so many years. The persons to whom the two fellowships were awarded were: Shri Kulbhushan, Special Officer in the Ministry of Education, and Shri R. V. Srinivasamurthy, Mysore State Adult Education Council, Mysore.

#### Manufacture of Galvanised Wire

\*702. { **Shri S. C. Samanta:**  
          { **Shri Subodh Hansda:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that galvanised wire of 19 to 32 gauge is imported

from foreign countries for manufacturing wire nets and wire crafts;

(b) whether it is also a fact that galvanised wire upto 18 gauge which is produced in India cannot cope up with the demand in the country;

(c) if so, what arrangements are proposed to be made to manufacture more wire in the country; and

(d) whether any attempts have been made to manufacture 19 to 32 gauge galvanised wire in the country?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Yes, Sir.

(b) Yes, Sir.

(c) and (d). With increased supplies of steel, from the existing steel works and the new steel-works next year, more raw materials will be available to the wire drawing industry. In addition, it is proposed to license some more wire drawing units shortly.

**Shri S. C. Samanta:** May I know the concern that is at present supplying gauges up to 18?

**Sardar Swaran Singh:** I have got a list of all the units that have been licensed for drawing wires. There are seven of them. I can read out their names, if necessary. They are:

- (i) Messrs. Indian Steel and Wire Products Ltd., Jamshedpur.
- (ii) Messrs. National Rolling and Steel Ropes, Calcutta;
- (iii) Messrs. Hind Wire Industries, Calcutta;
- (iv) Messrs. J. K. Steel, Calcutta;
- (v) Messrs. Bawa Iron and Steel Works, Sonepat;
- (vi) Messrs. Indian Steel Rolling Mills, Nagapattinam; and
- (vii) Messrs. Badhwar and Co., Delhi.

**Shri S. C. Samanta:** May I know whether the hon. Minister has received any representation to the effect that the actual users should be given licence and not the intermediaries, for purposes of import?

**Sardar Swaran Singh:** It is true that there is a considerable pressure on account of the shortage of the requisite material for drawing wires, and when there is shortage, there is always this tussle between the actual users and the traders; and sometimes, a balance has to be struck, because the intention of Government has been not to completely oust the one or bring in the other.

**Shri Joachim Alva:** May I know why an attempt was not made hitherto to manufacture wire gauze? Why was that programme not drawn up along with the establishment of the steel mills, simultaneously?

**Sardar Swaran Singh:** Actually, there are certain units which are manufacturing wire gauze; and wire gauze is manufactured also on a smaller scale. It was not necessary to have elaborate plans for this. Something that can be done on a smaller scale is always encouraged.

**Shri S. C. Samanta:** Is it not a fact that the actual demand of the customers is not being met through the industries that supply, because the intermediaries on whom they have to depend for this wire do not indent for that particular variety?

**Sardar Swaran Singh:** It is difficult for me to believe that, because normally, even if we issue a licence to the importer, he would like to import the categories which are in great demand. There is overall shortage, no doubt, but as the unfortunate experience of our country is, even if the shortages are marginal, scarcity conditions are created. But we are seized of the problem, as I have stated, and we are doing our best.

Extension of Jurisdiction of Election Commission and Supreme Court to Jammu and Kashmir State

**Shri Harish Chandra Mathur:**

**Shri Sadhan Gupta:**

**Shri Vajpayee:**

**Shri D. C. Sharma:**

\*703.

**Shri Asar:**

**Shri Hem Raj:**

**Shri Tangamani:**

**Shri Achar:**

**Dr. Gangadhar Siva:**

Will the Minister of Home Affairs be pleased to state:

(a) whether jurisdiction of Election Commission and Supreme Court has been fully extended to Jammu and Kashmir or steps have been taken in that direction; and

(b) whether emoluments of High Court Judges in Jammu and Kashmir State and their terms of appointment and removal correspond to those of judges in High Courts of other States in India?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) Certain proposals have been received from Jammu and Kashmir Government and necessary action is being taken.

(b) The Jammu and Kashmir Legislature has made certain amendments to the Constitution of the State which will come into force on the 26th January, 1960. The State Legislature has also proposed the application of certain articles of the Constitution of India to the State. Necessary action for the purpose is being taken. When both these changes take effect, the position will be as stated in the question.

**Shri Sadhan Gupta:** Part (b) of the question has not been answered.

**Shri G. B. Pant:** The major part of the reply related to part (b).

**Shri Sadhan Gupta:** May I know by what date the full jurisdiction of the Supreme Court and of the Election Commission would be extended to the Jammu and Kashmir State?

**Shri G. B. Pant:** The jurisdiction, as proposed by the Jammu and Kashmir Government, will, I hope, be extended by the 26th January, 1960.

**Shri Tangamani:** May I know whether the delay is due to the fact that a protest was lodged by the Pakistan Government about the extension of the jurisdiction of the Supreme Court and the Election Commission to Jammu and Kashmir?

**Shri G. B. Pant:** I am not aware of any such protest by the Pakistan Government.

**Shri Tangamani:** Are Government aware that there was a protest lodged in the Security Council, and the Government of India have replied to that protest?

**Shri G. B. Pant:** That may be so. But the original date fixed for the extension of these provisions was the 26th January, 1960, and we are sticking to that date.

**Shri Harish Chandra Mathur:** May I know at what stage the proposal lies at present? When the hon. Minister says that the position would be just as stated in the question, do I take it that henceforth, from 26th January, 1960, the State of Jammu and Kashmir would be absolutely on par with the other States of India?

**Shri G. B. Pant:** Well, that will be so, so far as the High Courts are concerned. The salaries and the conditions of service of the judges of the High Courts will be on a par with those received by them or enjoyed by them in other States. With regard to other provisions too, there will be a marked change as compared with the present position.

विश्वविद्यालयों में चलचित्र कला

+  
\*भी भवत दर्शन :  
\*७०४. { श्री दी० चं० शर्मा :  
श्री दीमानी :

क्या शिक्षा मंत्री ११ मितम्बर, १९५६

के तारांकित प्रस्तुत संस्था १३८२ के उत्तर के सम्बन्ध में यह बताने को कृपा करेंगे कि :

(क) विश्वविद्यालयों में चलचित्र कला स्थापित करने की योजना के बारे में अब तक क्या प्रगति हुई है; और

(ल) इस योजना पर अब तक क्या व्यय हुआ है?

**शिक्षा मंत्री (डा० का० सा० शीमाली) :**

(क) और (ल), मार्गी गयी सूचना का विवरण नीचे दिया गया है।

### विवरण

विश्वविद्यालय अनुदान आयोग द्वारा अन्तिम रूप से अनुमोदित विश्वविद्यालयों में “फ़िल्म क्लब” शुरू करने की योजना को सभी विश्वविद्यालयों में भेजा गया ताकि वे इस पर अपनी राय दे सकें। आयोग को जो उत्तर मिल उनसे पता चला कि सिर्फ़

छ हो विश्वविद्यालय इस योजना को चलाने के लिये तैयार हैं। चूंकि बच्चों की फ़िल्म सभा के मूल प्रस्ताव को किफ़ायत के साथ अमल में लाने के लिये आवश्यक या कि इसमें कम से कम २५ विश्वविद्यालय भाग लेते, इसलिये उस पर अमल नहीं किया जा सका और यह योजना भी आगे नहीं बढ़ायी जा सकी। अतः कुछ भी व्यय नहीं हुआ है।

आयोग ने “बच्चों की फ़िल्म सभा”, नई दिल्ली, को इस स्थिति के बारे में सूचित किया और उनसे पूछा कि क्या वह कोई ऐसी संशोधित योजना बता सकती है जिसे उन विश्वविद्यालयों में लागू किया जा सके जो इस योजना में भाग लेने के इच्छुक हों। आयोग को सभा से जो संशोधित योजना प्राप्त हुई है उसे उन १३ विश्वविद्यालयों में भेजा गया है जो मूल प्रस्ताव के अनुसार विश्वविद्यालय फ़िल्म क्लब आग्रह करने के लिये सहमत थे।

**श्री भवत दर्शन :** श्रीमन, इस विवरण में जात होता है कि जो पहली योजना श्री

उससे केवल १३ विश्वविद्यालयों ने सहमति प्रकट की थी। मैं जानना चाहता हूँ कि नई संशोधित योजना में और पहली योजना में क्या अन्तर है?

डा० का० ला० श्रीमाली : जो नई योजना है उसमें कुछ कम लर्व होगा।

श्री भक्त दशांत : मैं जानना चाहता हूँ कि जबकि यूनिवर्सिटियों के छात्रों में सिनेमा का शोक पहले से ही मौजूद है और यहां तक मौजूद है कि कलासेस को छोड़ करके भी फिल्में देखने के लिये चले जाने की शिकायतें मिलती हैं, तब फिर ये फिल्में दिखाने का उद्देश्य क्या है?

डा० का० ला० श्रीमाली : यह सब है कि नौजवान लड़कों की फिल्में देखने का बहुत शोक है। लेकिन इन फिल्म कलबों का काम यह होगा कि उम तरह की फिल्में लड़कों को दिखाई जाएं जो शिक्षा की दृष्टि में उपयोगी हों। इस तरह की फिल्में तैयार होती हैं और तैयार की जा सकती हैं। इन फिल्म कलबों का काम यह होगा कि अच्छी उपयोगी, शिक्षाप्रद फिल्मों का चुना जाए और उन्हीं को लड़कों को दिखाया जाए।

Shri Damani: May I know whether this scheme is going to be extended to colleges which are affiliated to the universities?

Dr. K. L. Shrimali: Yes, all the universities which are voluntarily willing to participate in this scheme will be admitted.

सेठ गोविन्द दास : जहां तक एमी फिल्मों का सम्बन्ध है, क्या सरकार को इस प्रकार की फिल्म तैयार करने के सम्बन्ध में कोई सूचना है कि कितनी तैयार हो रही है, और क्या सरकार स्वयं भी इस तरह की फिल्म तैयार करा रही है? यदि तैयार करा रही है तो कितनी तैयार हुई है?

डा० का० ला० श्रीमाली : जी नहीं, फिल्म तैयार करने का काम एजूकेशन,

मिनिस्ट्री का नहीं है, दूसरी मिनिस्ट्री का है और इसके ऊपर बराबर सरकार का व्यापार है। अच्छी फिल्में भी तैयार की जाती हैं और इन्कार्मेशन एण्ड ब्राइकास्टिंग मिनिस्ट्री भी इस के बारे में कुछ काम कर रहा है। अच्छी फिल्में चुनो जाएंगी और देश से और विदेश से शिक्षा की ड्रॉपेट से जो भी अच्छी फिल्में होगी, उनको लाया जायेगा।

Shri Punnoose: The statement says that the minimum number of Universities necessary to work the scheme has not come up. May I know what are the specific difficulties pointed out by the other Universities?

Dr. K. L. Shrimali: I expect the difficulty is mainly financial. 13 Universities have already agreed to participate in the scheme, and I hope in course of time the other Universities will also fall in line. The University Grants Commission will give some assistance also in this matter.

डा० मुशीला नायर : अच्छी फिल्में बनाने और इन के लिये प्रयत्न हो रहा है लेकिन मे वह जानना चाहती हूँ कि इस काम के अन्वाना बराबर फिल्में लड़कों बच्चों को न दिखाई जायें, इसके बारे में भी शिक्षा मंत्रालय कोई कदम उठा रहा है?

डा० का० ला० श्रीमाली : जी हा, मन्त्रालय का यह काम है कि अच्छी फिल्में दिखाकर बराबर फिल्मों को यहां से हटाया जाय। मैं समझता हूँ कि इसका एक यह भी नरीका है। अच्छी चीज अगर हमारे सामने हैं तो बराबर चीज अपने आप गायब हो जाती है। Ordinarily, when good things are before us, they drive out bad things. Since we are putting up good films before children, I have no doubt that the bad films will disappear.

श्री कीरोज गांधी : क्या मानवीय मंत्री जी यह बतला सकते हैं कि उनके सामने

कोई देसी योजना है जिससे जनता को यह समझाया जा सके कि सरकारी काम किस तरीके से चलता है ? जनता की समझ में आये कि सरकारी दपतरों और मिनिस्टरों का काम किस तरीके से होता है ।

**शा० शा० शा० शीमाली :** इस प्रश्न का सम्बन्ध तो मेरी मिनिस्ट्री से नहीं है ।

**Shri Supakar:** Is there any training programme to produce good film stars out of the Universities?

**Mr. Speaker:** Next question.

#### Manufacture of Avro 748 Aircrafts

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Shri S. M. Banerjee:

Shri Panigrahi:

Shri D. C. Sharma:

Shri Morarka:

\*705. Dr. Ram Subhag Singh:

Shri Madhusudan Rao:

Shri Vidya Charan Shukla:

Shri Kalika Singh:

Shri Ajit Singh Sarhadi:

Shri Mohan Swarup:

Will the Minister of Defence be pleased to state:

(a) the progress made in the manufacture of Avro 748 in Kanpur;

(b) the foreign exchange component of the entire cost of the Project; and

(c) the annual amount that would be payable to M/s Hawker Siddeley Group as royalties after the manufacture of the first 100 aircrafts?

**The Deputy Minister of Defence (Sardar Majithia):** (a) A number of Indian technicians have been trained in the United Kingdom in the manufacture of AVRO 748. Necessary equipment and machinery are being procured and facilities are being provided for the manufacture of the AVRO 748 at Kanpur.

(b) The foreign exchange expenditure on the purchase of plant, machinery, tools, jigs, fixtures, etc., for

series production, training of personnel, technical assistance and the manufacture of one prototype 'AVRO 748' is estimated at Rs. 72.00 lakhs. Further expenditure will depend on the numbers of aircraft to be produced.

(c) It is not in the public interest to disclose details of the agreement with the foreign firm.

**Shri S. M. Banerjee:** May I know when production is likely to start at Kanpur, and what is the employment potential after the factory starts production?

**Sardar Majithia:** The first prototype in India is expected to be ready by the end of 1960. As regards the employment potential, most of the people will be from the Air Force and very few from outside.

**Dr. Ram Subhag Singh:** May I know whether this aircraft has been successfully used in the United Kingdom? Also, is the Kanpur firm going to be a purely assembly firm? If so, why were not the services of Hindustan Aircraft Limited at Bangalore utilised for this purpose?

**Shri Narayananarkutty Menon:** This was answered in detail last time.

**Mr. Speaker:** Yes.

**Sardar Majithia:** Do you want me to reply to the question, Sir?

**Dr. Ram Subhag Singh:** This was never discussed, that is, whether this aircraft has been successfully tested and used.

**Mr. Speaker:** It was also discussed. It was said that no other factory had produced this aircraft. There was a one-hour discussion on it here. The hon. Member was not here at that time. It was stated that the aircraft would be produced only here and not elsewhere.

**Shri Thirumala Rao:** In reply to a previous question, the hon. Minister was pleased to say that the first proto-type would be ready by the end

of 1960. Has it been considered that by the time the proto-type is ready, it will be outmoded and will be superseded by later models in the western countries.

**Mr. Speaker:** What is to be done?

**Sardar Majithia:** May I respectfully submit that it is always true not only of India but of even countries like America, Russia and England that when an actual type goes into service, it is already out of date?

**Shri Thirumala Rao:** Last time it was pointed out by the Ministry that they were in a great hurry to place orders because these things would get outmoded. But there is a sufficient time-lag now and these may be outmoded again. The thing cannot be avoided.

**Mr. Speaker:** What is the suggestion? Every question must have some reason and must ask for specific information.

**Shri Thirumala Rao:** I want information on how far the basic consideration of seeing that this is not outmoded is reflected in the contract.

**Sardar Majithia:** All that I can say is that this will be eminently suited to our requirements for quite a few years to come.

**Shri Vidya Charan Shukla:** May we know by what time we will be able to manufacture this aircraft entirely in India? Is it a fact that for all times to come, we shall have to depend on some foreign sources for some essential components of this aircraft?

**Sardar Majithia:** I would not say that we will be producing this aircraft entirely in India at a future date. Of course, 10 or 15 per cent of the components may have to be imported. But I would say in regard to the production programme that in case the proto-type goes through the tests and proves successful, we expect that in 1961 we will produce 3 aircraft, in 1962 12 aircraft and from then onwards 18 aircraft per year.

**Shri Narayananarkutty Menon:** In replying to a question like this, the hon. Minister should come prepared with the previous answers given by the Ministry. There was a one-hour discussion on this last time and it was then said that within ten years there would be completely indigenous production of this aircraft. The answer given now directly contradicts what has been previously stated by the hon. Minister.

**Mr. Speaker:** Whichever is suitable to the hon. Member, he may take it

**Shri T. B. Vittal Rao:** He goes on revising his statement.

**Shri Sadhan Gupta:** What about the facts?

**Shri Vidya Charan Shukla:** How do the Government of India reconcile our strategic requirement with the fact that we shall never be able to manufacture the entire aircraft in our country and we shall always have to depend for certain essential components on imports from abroad?

**Sardar Majithia:** No. The thing is that we have to see that it is economically produced. For example, there may be very small components; if we get them imported from outside cheaper, why should we not do it? I see no reason for not getting them. But that does not mean that we cannot produce them ever here; if the outside sources dry up, we will produce them here. But it will be cheaper to get some parts from outside.

**Mr. Speaker:** There was a one-hour discussion on this last time. Then the hon. Minister said that it was intended that within a period of ten years all the parts would be manufactured here. In such a short time, why should there be this difference? Is it a change of policy?

**Sardar Majithia:** May I clarify that? What was stated at that time was—and I still say that it is correct—that so far as the air-frame was concerned, it would be 100 per cent India. But there will still be certain

instruments which we might find easier to get from outside and put into the aircraft. It will not be a substantial percentage; the cost of these may be 5 per cent of the total cost of the aircraft. You will have to have certain steel which India may not be able to produce. You will have to get that steel from outside. Therefore, to say that it would be 100 per cent Indian would not be correct. Certain steel which we cannot produce will have to be got from outside. That is why I made that reservation.

**New Price Formula for Petroleum Products**

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Shri Tangamani:  
 Shri Ram Krishan Gupta:  
 Shri S. M. Banerjee:  
 Shri Panigrahi:  
 Shri Ajit Singh Sarhadi:  
 Shri Narayananakutty Menon:  
 Shri Punnoose:  
 Shri Shree Narayan Das:  
 Shri D. C. Sharma:  
 Shri Nagi Reddy:  
 Shri Warior:  
 Shrimati Parvathi Krishnan:  
 Dr. Ram Subhag Singh:  
 Shri Assar:  
 Shri Supakar:  
 Shri P. C. Borooh:  
 Shri Sadhan Gupta:  
 Shrimati Mafida Ahmed:  
 Shri Hem Barua:  
 Shri J. B. S. Bist:  
 Shri Madhusudan Rao:

\*706.

Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 429 on the 13th August, 1959 and state:

(a) whether discussions started with the Oil Companies for the finalisation of a new formula, on the basis of which new prices for petroleum products will be fixed have been concluded; and

(b) if so, the result thereof?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) Yes, Sir.

(b) An ad hoc agreement has been reached; the details are given in a statement laid on the Table of the House. [See Appendix II, annexure No. 10.]

**Shri Tangamani:** On a previous occasion we were told that the arrangements have almost been completed and a final decision will be taken about the price formula. Are we to take it that there will be another meeting for fixing this price formula in view of the fact that the present arrangement is also ad hoc?

**Shri K. D. Malaviya:** In view of the differences which continued for many months a proposal was made to reach another ad hoc agreement and reduce the difference between the Government and the Companies. We succeeded in finding out another ad hoc arrangement; and now the efforts to find out a permanent formula will continue.

**Shri Tangamani:** May I know whether the present ad hoc arrangement by which the price will be reduced which will amount to Rs. 5 crores in all will take retrospective effect from 1-4-58 as it was promised on the previous occasion in reply to Starred Question No. 429 on the 13th August, 1959?

**Shri K. D. Malaviya:** Yes, Sir; the arrangement has been to include the previous agreements also, and all the formulas. It is not only Rs. 5 crores but it is more than that. If the hon. Member sees the statement that had been placed on the Table of the House he will find that there is something in addition also and the total reduction will be about Rs. 15 crores per annum.

**Shri Tangamani:** On a previous occasion.....

**Mr. Speaker:** Order, order. The hon. Member cannot go on monopolising the time of the House. I am not going to allow it. Shri Hem Barua. There are twenty persons.

**Shri Hem Barua:** May I know whether the attention of the Govern-

ment is drawn to a statement made by Mr. Sinclair, General Manager of Stanvac to the effect that their proposals were made to Government in June and August but then Government did not respond to their proposals and that, therefore, it is they and not the Government of India who should feel disappointment at this delay? If this is not a fact may I know whether it was contradicted by Government or not?

**Shri K. D. Malaviya:** When we start bargaining with each other it is very difficult for the parties to say that this proposal is firm or not firm. The fact of the matter was that at one stage one of the oil companies did make a proposal which was not worth even considering. Therefore, we said that we were not prepared to consider that proposal.

**Shri Hem Barua:** Has the hon. Minister informed them like that?

**Shrimati Mafida Ahmed:** May I know the reasons why the consumer price of petroleum products is still unchanged?

**Shri K. D. Malaviya:** Because the reductions which have been agreed upon by the two parties have been mopped up by Government.

**श्री रघुनाथ सिंह:** या मरकार को यह बात मात्रूम है कि हिन्दुस्तान में जहाजों के बासे जो आयल की जरूरत होती है वह आयल अदन और सिंगापुर की अपेक्षा हिन्दुस्तान में बहुत महंगा पड़ता है और इसके कारण आयल की बैंगिंग हिन्दुस्तान में न होकर सीनेन, अदन और निगापुर में होती है और जिसकी कि वजह से हिन्दुस्तान हर साल आजकल ८ करोड़ रुपये लूज कर रहा है?

**श्री के० दे० भास्तवीय :** यह तो मैं नहीं जानता कि कितने रुपये का नुकसान गवर्मेंट आफ इण्डिया को होता है लेकिन यह बात सच है कि मुख्तालिक मुल्कों में तेल खरीदने की मुख्तालिक शर्तें हैं। अदन में जहाजों को

जो तेल मिलता होगा उसके दाम में भीर यहां हमारे बम्बई में जहाजों को जिस दाम में तेल मिलता होगा उसमें जहर कुछ कर्क है प्रस्तुत मलग शर्ते मुख्तालिक जगहों पर है भीर यह हो सकता है कि जहाजों को यहां तेल मेहंगा मिलता हो भीर दूसरों मुल्कों में सस्ता मिलता हो।

**Shri C. D. Pande:** When the first reduction in prices was obtained Government told the House that if this benefit it passed on to the consumer it will be very negligible. Now the amount has gone up almost to Rs. 19 crores in both the instalments of concession. May I know whether Government will consider passing on this benefit to the consumers because the price of petrol is high these days?

**Shri K. D. Malaviya:** By and large, taking everything into consideration we still think that if we pass on this reduction to the consumers it will not have any significant effect. For instance, if we pass on the whole sum to the petroleum consumers it will not be fair to the kerosene consumers. If we pass on the whole thing to the kerosene consumers it will be very negligent. It is difficult to decide as to what substantial reduction will be realised by a particular consumer on the whole. Therefore, it was considered that the whole thing would be mopped up for development schemes and other purposes of Government

**Shri C. D. Pande:** When a tax is levied and it brings to the Exchequer Rs. 19 crores, then, certainly, the House feels that it is an excessive taxation. If there are Rs. 19 crores available is it a very insignificant amount to be passed on to the consumers?

**Shri K. D. Malaviya:** The hon. Member is entitled to have his opinion and he can; I have my own.

**Shri Narayanan Kutty Menon:** May I know whether after examination of the accounts the Cost Accountants have come to a tentative conclusion regarding the justifiable reduction in

prices of the petroleum products including bitumen? If so, what is the amount estimated by the Government calculated on the basis of the Cost Accountant's report?

**Shri K. D. Malaviya:** The report of the Cost Accounts Officer has been laid on the Table of the House and the hon. Member can form his own conclusions. But I might inform the hon. Member that the total gap between the recommendations of the CCAO and the reductions conceded by the oil companies would come to roughly about Rs. 14 crores. That difference has not yet been made up.

**Shri Tangamani:** From the statement I find that the reduction altogether is Rs. 10 plus Rs. 5, i.e. Rs. 15 crores from 1-4-59. My point is Rs. 10 crores have been reduced from 1-4-58. Is there any special reason why this Rs. 5 crores which has now come under the *ad hoc* arrangement has not been implemented from 1-4-58 as it was promised in this House on a previous occasion?

**Shri K. D. Malaviya:** I think the fact of having the reductions retrospectively was taken into consideration. But if my hon. friend gives notice of a fresh question on this specifically, I may elucidate the point for him.

**Shri Narayanan Kuttu Menon:** When the Mineral Oil (Additional Excise Duty) Amendment Bill was considered the hon. Finance Minister gave an assurance that if there is any delay there will be no loss because the agreement always takes effect from 20-5-58.

**Shri K. D. Malaviya.** I think everything was done retrospectively. But as I said I can give the correct picture to my hon. friend if he gives notice of a fresh question.

**Shri T. B. Vittal Rao:** The reduction that has so far been effected works out to between 3 to 4 per cent of the wholesale price. May I know what consideration weighed with Government to arrive at this agreement?

**Shri K. D. Malaviya:** There is no agreement that the reductions obtained will be 3 or 4 per cent. There will be different methods of calculation. I personally feel that the reduction is somewhat higher than what the hon. Member has indicated, but it may not be as much as the hon. Member desires.

**Shri T. B. Vittal Rao:** May I know the percentage according to Government?

**Mr. Speaker:** What is the percentage according to Government?

**Shri K. D. Malaviya:** There were various factors to be taken into consideration. Certain non-formula products were not taken into consideration. Therefore, it will not be proper to give the percentage on the entire products. We provided however for a quantum of remuneration about 10 per cent gross profit on the capital employed by Burmah Shell in 1957. That was the basis and the net will be about 6 per cent.

**Shri Damani:** The hon. Minister has said that there is a difference of about Rs. 14 crores between the calculations made by the chief cost accountant and the companies. Is it possible to refer it to any arbitrator for any settlement?

**Shri K. D. Malaviya:** The question of referring the entire matter to an arbitrator can only be taken up if both parties agree. The whole question is being pursued and we shall also make every effort to negotiate with the parties to see what more can be done.

#### Theft of Currency from Train

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\*707. { Shri Ram Krishan Gupta:  
                  Shri Padam Dev:  
                  Shri Sarju Pandey:  
                  Shri P. G. Deb:

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that two out of thirty steel cases containing

new currency being brought from Calcutta to Delhi by the parcel express were found missing when the train arrived at Ghaziabad on the night of 25th September, 1959;

(b) if so, the value of the currency missing;

(c) whether any enquiry has been made into the matter; and

(d) if so, the result thereof?

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** (a) and (b). Out of a consignment of 51 patent remittance boxes (made of venesta or veneer boards) containing currency notes and 25 nP coins booked by the Currency Officer, Reserve Bank of India, Calcutta to the Currency Officer, Reserve Bank of India, New Delhi on 23rd September, 1959, two boxes containing 25 nP coins worth Rs. 6000 each were found missing when the train arrived at Ghaziabad Railway Station on 26th September, 1959.

(c) and (d). The matter is still under investigation.

**Shri Ram Krishan Gupta:** May I know whether any action has been taken so far against any officer in this regard?

**Shrimati Tarkeshwari Sinha:** Yes, Sir. Some of these constables, I think, and one sub-inspector have been suspended.

**श्री सरदू पाण्डेय:** क्या इस चोरी के सम्बन्ध में जिसने जांच हो रही है, रेलवे अधिकारियों का भी कोई हाव या?

**श्रीमती तारकेश्वरी सिंहा:** यह सब मामला अभी जान के अन्दर है इतिहाये कुछ कहना मुश्किल है। अभी तो जांच हो ही रही है।

**श्री सिहातन सिंह:** क्या यह बक्से मालगाड़ी से ले जाए जा रहे थे, या डाकगाड़ी से ले जाए जा रहे थे या रेसिवर गाड़ी से ले

जाए जा रहे थे, कौनसा गाड़ी या और किस हानत में दे बक्से कूट दे रहे?

**श्रीमती तारकेश्वरी सिंहा:** ये बक्से ७१ अप पारस्पर एक्सप्रेस से जा रहे थे।

**श्री रावे लाल अकात:** इसकी जांच कीव अधिकारी कर रहे हैं और इसमें इतनी देरी क्यों लग रही है?

**श्रीमती तारकेश्वरी सिंहा:** यह जांच रेलवे अधिकारियों और होम मिनिस्ट्री द्वारा हो रही है।

#### Production of Film Projectors

**"710. Shri Pangarkar:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 1004 on the 31st August, 1959 and state:

(a) the further progress since made in the production of 35 MM filmstrip projectors by the Ordnance Factory at Dehra Dun; and

(b) whether a final decision has since been taken for the supply of these projectors to educational institutions at concessional rates?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Bulk production of strip film projectors has since commenced and 241 projectors with filmstrip carriers and 134 without carriers had been produced upto the 31st October, 1959.

(b) This is still under consideration.

**Shri Pangarkar:** May I know whether any target was fixed for the production of these projectors by the ordnance factory at Dehra Dun and if so how far it has been fulfilled?

**Dr. K. L. Shrimali:** The programme of production was this: First year—500; second year—750; third and subsequent years—1000 per year.

**Shri S. M. Banerjee:** What is the price of each projector manufactured here and how does it compare with the price in the private sector?

**Dr. K. L. Shrimati:** The ex-factory wholesale prices would be as follows. A 250/300 Watt miniature strip film projector with one projection lens, 10 cm. and with strip film carrier but without carrying case will cost Rs. 325. A 250/300 Watt miniature strip film projector with one projection lens 10 cm. but without strip film carrier or carrying case will cost Rs. 300. The retail price for the first would be Rs. 450 and for the second Rs. 412.75.

### मुस्लिम लीग

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श्री गोपा राम सुभग सिंह :  
\*७१२. { श्री विभूति मिश्र :  
श्री मुहम्मद इमाम :  
श्री प्रकाश बीर शास्त्री :

क्या गृह-कार्य मंत्री पह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि लीग के पुराने कार्यकर्ता देश के कुछ स्थानों में मुस्लिम लीग को पुनर्जीवित करने के प्रयत्न कर रहे हैं;

(ख) क्या खाकसार आदोलन को फिर से शक्तिशाली बनाने के भी प्रयत्न किये जा रहे हैं; और

(ग) यदि हां, तो इस सम्बन्ध में सरकार का क्या कार्यवाही करने का विचार है।

गृह-कार्य मंत्री (श्री गोपा राम सिंह) :  
(क) स (ग) : कुछ ऐसे प्रयत्न किये जाने की रिपोर्ट मिश्री हैं लेकिन इनसे कोई तरक्की दृष्टि मानूम नहीं पड़ती। फिलहाल सरकार का कोई कार्यवाही करने का विचार नहीं है।

सेठ गोविन्द दास : क्या सरकार के पास इस प्रकार की भी कुछ स्थबरें उनके गुप्तचर विभाग से आयी हैं कि—जैसा कि अभी माननीय मंत्री जी ने कहा कि इस मामले में अभी कुछ मामला आये नहीं बड़ रहा है—कुछ संप्रदायवादी मुसलमान अपना गुप्त संगठन कर रहे हैं, और क्या इस बात का कोई भय महीं है कि आगे चल कर यह गुप्त संगठन जो

अभी हो रहा है वह एक बड़े रूप में सामने आएगा और उस बबत इस सम्बन्ध में कुछ भी करना शायद मुश्किल हो जाएगा?

श्री गोपा राम सिंह : इस बबत कोई गुप्त संगठन बड़े प्रभाव पर लिया जा रहा है, इसकी कोई खबर नहीं है।

**Shri Joachim Alva:** The Government is aware of the role of the Muslim League and how its propaganda ended with a blood bath. Is the Government aware of the dangerous implications of the defunct leagues such as the Christian League? Other minority leagues will also sprout up if this attempt to revive the Muslim League is not nipped in the bud now?

**Shri G. B. Pant:** I do not see why other classes and communities should seek to be sensible if one of them has some mischief-mongers in its midst.

**Shri Tridib Kumar Chaudhuri:** May I know whether the Muslim League has been listed as a subversive organisation or banned in any way?

**Shri G. B. Pant:** Unfortunately, there is no law empowering the Government to ban any organisation at present.

**Shri Raghunath Singh:** What is the aim and object of the new revived League?

**Shri G. B. Pant:** I do not know to which particular League the hon. Member is referring. There was this Union Muslim League as it was called after the achievement of Independence. Its objectives were to promote good-will and cordiality between various sections of the nation and also to look after the interests—social, political, economic, etc. of the Muslims.

**Shri Kallka Singh:** May I know whether the Muslim League has been functioning in the garb of communists in some parts of India?

**Shri G. B. Pant:** Well, I do not know. The communists, I think, do not shrink from describing themselves as communists except when the people who carry on communist propaganda are not fully steeped into it yet.

**Dr. Ram Subhag Singh:** Wherefrom have these reports come and what sorts of meetings or conferences were held for constituting or reviving the Muslim League? The hon. Home Minister has said that no steps were contemplated to be taken. May I know as to what will be the policy of the Government after the Muslim League is revitalised or constituted?

**Shri G. B. Pant:** Some reports had appeared in the papers sometime ago and we had also our other sources from which we get information including hon. Members of this House. As to the action that the Government may take, it will depend on the circumstances. I have stated just now that they have not been able to make any headway. Though some attempts seem to have been made at one stage some months ago, no progress appears to have been made.

**Shri N. R. Menonswamy:** Is it not a fact that this moribund existence of the League has come to light only very recently—three months back?

**Shri G. B. Pant:** No. It appears that attempts have been made sometime in the early part of this year—in February or March.

**श्री विनोद विज़:** चम्पक पूपुट वास्तक न्याय को ध्यान में रखते हुए और पहले मुस्लिम लीग जो कार्रवाई कर चुकी है उसको ध्यान में रखते हुए क्या हीम मिनिस्टर साहब यह बाहते हैं कि यह किरदार में पत्ते?

**श्री शो० श० प० :** नहीं, सरकार नहीं नहीं बाहरी कि यह पत्ते।

**श्री अम्बुल लतीक़ :** केरला में जो मुस्लिम लीग और कांग्रेस का इस्तराक हुआ है क्या इस इस्तराक से मुस्लिम लीग को मुल्क में फिरकावारियत को तरकी देने और मुल्क के दूसरे हिस्सों में मुस्लिम लीग की शाखे कांग्रेस करने में इमदाद नहीं मिलेगी और क्या मुल्क में दूसरी फिरकावाराता

जयायतों को फिरकावारियत को बढ़ाने का बोका नहीं मिलेगा?

**श्री महेंद्रलतेहुँ - क्षेत्र में हूँ**  
मुस्लिम लीक और कांग्रेस का इस्तराक हुआ है—क्या इस इस्तराक से मुस्लिम लीक को मुल्क में फ्रेंच वारियत को तोड़ने देने लोर मुल्क के दूसरे हिस्से में मुस्लिम लीक की शाखियाँ तालिम करने की मेहनत में मुदाद नहीं मिलेगी—और क्या मुल्क में दूसरी फ्रेंच वारियत को तोड़ने देने लोर मुल्क का स्थान नहीं मिलेगा?

**श्री शो० श० प० :** सरकार को इन्हि साब से कोई ताल्लुक नहीं।

**Shri Punnoose:** May I know whether the Muslim League that functions in Kerala is of the old type or the new type?

**Shri G. B. Pant:** Well, I think, the hon. Member must be knowing that better as he has been associated with them much earlier; we got associated with them only today.

**Shri Ansar Harvani:** Is the Government aware that there is a persistent demand in this country that Communal organisations should be banned; if so, is there any proposal before the Government to consider this question?

**Shri G. B. Pant:** Well, small and trivial things should not be magnified; otherwise they will achieve the importance which they do not deserve.

#### WRITTEN ANSWERS TO QUESTIONS

**Stores in Central Ordnance Depot**

\*708. **Shri Nathwani:**  
[**Shri Morarka:**

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that stores worth Rs. 7 lakhs were recovered

from underground in a Central Ordnance Depot;

(b) if so, whether any inquiry was made in this respect; and

(c) the name of the Depot and the action taken against those found guilty?

**The Deputy Minister of Defence (Shri Raghuramaiah):** (a) to (c). It is true that certain surplus stores which were not reflected in the ledgers, were discovered in the COD, Chheki and some of them were also found buried. The matter is under investigation by a Staff Court of Inquiry.

#### Reserves of Gypsum in Kashmir

\*709. Shri D. C. Sharma: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 107 on the 5th August, 1959 and state:

(a) the progress made in the survey work done by the Geological Survey of India in exploring the reserves of gypsum deposits in Jammu and Kashmir;

(b) the quantity and quality of gypsum expected to be available; and

(c) the action taken or proposed to be taken in the matter?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) There has been no further progress in the assessment of the gypsum deposits in Beramula district. Further investigation and detailed mapping and sampling of these deposits with the help of X-ray drill will be continued next summer.

(b) and (c). The quantity and quality will be known only after the proposed investigation is completed.

#### प्राचीन झीलों में जीवन वीक्षा

\*710. की दैर्घ्य राज्य : क्या वित्त मंत्री यह बताने की कृपा करेंगे कि :

(क) जीवन वीमा को प्राचीन क्षेत्रों में

लोकप्रिय बनाने के लिये क्या उपाय किये गये हैं; और

(ल) १९५६ में अब तक प्राचीन क्षेत्रों में कितनी रकम के बीमे दुए हैं?

**वित्त उपर्याप्ति (धीमती तारफेस्वरी सिन्हा) :** (क) और (ल). विवरण नीचे दिया गया है।

#### विवरण

(क) देहात में जीवन वीमे को लोकप्रिय बनाने के लिये जीवन वीमा निगम ने ये उपाय किये हैं :

१. मुफसिल केन्द्रों में नवी शास्त्राएं और उप-कार्यालय खोलना,

२. देहात में फील्ड अफसरों को तैनात करना,

३. देहात में स्थानीय एजेंटों की नियुक्ति करना,

४. विकास अधिकारियों (इक्सप्रेस अफसरों) के घीर भी ज्यादा दौरे करना,

५. सहकारी संस्थाओं और अधिकारप्राप्त क्षेत्रीय अधिकारियों की माफत प्रीमियम जमा करने की सुविधायें देना,

६. आदेशिक भाषाओं में किलावें बनाएँ और फिल्मों, बलती-फिरती गाड़ियाँ और रेडियो के देहाती कार्यक्रमों द्वारा और अधिक प्रचार करना,

७. स्थानीय नुसायरों में भाग लेना, और

८. देहात में और ज्यादा पोस्टर बगैरह बांटना।

(ल) ११ अक्टूबर १९५६ तक ८३.०५ करोड़ रुपया।

## Tin Plates

\*713. Shri V. P. Nayar: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the position of manufacturing tin plates in India at present; and

(b) the quantity imported in 1957-58 and 1958-59 and the prices per ton of imported tin plates in these two years as compared to indigenous tin plates?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) Tin plates are, at present produced by two firms—M/s. Tin plate Co., Golmuri, and M/s. Khemchand Raj Kumar Calcutta; their installed capacity being about 84,000 tons and 20,000 tons per annum respectively. Further capacity to the extent of about 50,000 tons per annum, is proposed to be established in the Rourkela Steel Plant, by stages.

(b) A statement is given below.

## STATEMENT

*Statement showing the quantity and price of prime tin plates imported in 1957-58 and 1958-59 as compared to indigenous tin plates*

Category	1957-58			1958-59		
	Quantity in Tons	Average price per ton in Rs.	Price of indigenous material per ton in Rs.	Quantity in Tons	Average price per ton in Rs.	Price of indigenous material per ton in Rs.
Tin plates Primes	6,254	1,170	1,150	38,078	1,069	1,150

## शिक्षा के स्तर में गिरावट

\*714. श्री सरजू पांडेय : क्या गृहकार्य मंत्री संघ लोक सेवा आयोग की परीक्षाओं में बैठने वाले उम्मीदवारों की शिक्षा तथा उनके सामान्य ज्ञान के स्तर में गिरावट के बारे में ५ अगस्त, १९५६ के तारांकित प्रश्न संख्या १५१ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि संघ लोक सेवा आयोग शिक्षा मन्त्रालय से जो विचार विमर्श कर रहा था, उस सम्बन्ध में इस बीच क्या प्रगति हुई है?

गृहकार्य मन्त्रालय में राज्य मंत्री (श्री बातार) : इस मामले की घटभट शिक्षा मन्त्रालय के परामर्श से जांच की जा रही है।

## Private Schools in Delhi

\*715. Shri Assar: Will the Minister of Education be pleased to state:

(a) whether Government's attention has been drawn to a resolution adopted by the Delhi Municipal Corporation seeking conferment of authority to accord or refuse recognition to private schools, to regulate service conditions of teachers employed by them and such other powers in respect of these institutions; and

(b) if so, the Government's reaction to the demands made?

The Minister of Education (Dr. K. L. Shrimali): (a) Yes, Sir.

(b) The matter is under consideration.

## Commercial Banks

\*716. **Shri Ajit Singh Sarhadi:** Will the Minister of Finance be pleased to state:

(a) whether any steps are being taken to utilise the role of Commercial Banks in the matter of rural credit; and

(b) if so, what steps are being taken?

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** (a) Yes.

(b) Commercial banks are being encouraged to open branches in rural or semi-rural areas and also to grant advances against the security of warehouse receipts issued by the Central and State warehousing corporations.

## Thefts in Pulgaon Military Depot

\*717. **{ Shri Goray:  
Shri Sarju Pandey:**

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the thefts on a large scale have occurred in the Pulgaon Military Depot;

(b) how much property has been stolen; and

(c) whether any steps have been taken against the officers involved?

**The Deputy Minister of Defence (Shri Raghuramaiyah):** (a) There have been some cases of thefts in the Ammunition Depot Pulgaon.

(b) Total value of stores involved in the thefts during the years 1957, 1958 and 1959 is approximately Rs. 57,705.

(c) Suitable disciplinary action has been taken against the officials involved wherever necessary and some cases are under investigation. In some cases, persons not employed in the Depot are involved and cases are pending against them in Civil Court.

## Small Savings

\*718. **{ Shri Parulekar:  
Shri Muhammed Elias:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that 90% of the money deposited under Small Savings Scheme on the 31st of March was withdrawn on the 1st of April; and

(b) if so, what steps the Government propose to take to revitalise the scheme?

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** (a) No, Sir.

(b) Does not arise.

## Janta Policy

\*719. **{ Shri Damani:  
Shri D. C. Sharma:  
Shri Ram Krishan Gupta:  
Shri Ajit Singh Sarhadi:  
Sardar Iqbal Singh:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Life Insurance Corporation is contemplating to review the Janta Policy scheme introduced some time ago; and

(b) if so, the special features of the proposed variations in the terms to be effected in the said Janta Policy?

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** (a) Yes, Sir.

(b) Variations, if any, in the existing scheme will be known only after the review has been completed.

## Oxygen Plant at Rourkela

\*720. **Shri Supakar:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is any likelihood of delay in the setting up of an

Oxygen Plant for manufacture of L. D. Steel at Rourkela; and

(b) if so, whether any interim arrangements for supplying oxygen for use in L. D. Steel manufacture pending the completion of Oxygen Plant are contemplated?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) No, Sir.

(b) Does not arise.

#### Trial by Jury

\*721. { Shri Hem Barua:  
Shri J. B. S. Bist:  
Shri Parulekar:

Will the Minister of Home Affairs be pleased to state:

(a) what are the States in which trial by jury still prevails;

(b) whether it is a fact that Government have proposed to abolish this system altogether; and

(c) if so, what are the reasons for concluding such a proposal?

The Minister of Home Affairs (Shri G. B. Pant): (a) Bihar, Bombay, Madhya Pradesh, Madras, Mysore and West Bengal.

(b) No.

(c) Does not arise.

#### Steel Supply to Andhra Pradesh

\*722. Shri Madhusudan Rao: Will the Minister of Steel, Mines and Fuel be pleased to refer to the reply given to Starred Question No. 838 on the 27th August, 1959 and state:

(a) whether the quota of steel sanctioned by Government is being supplied to Andhra Pradesh by the producers; and

(b) if so, the details thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) and (b). A statement is given below.

#### STATEMENT

##### Steel Supply to Andhra Pradesh

The quantity of steel allotted and supplied to Andhra Pradesh State in 1959-60 is given below:

Quota-head	(In tons)	
	Allotment	Despatches
Non-Agricultural Govt. Dev. Schemes. Steel Processing Industries.	47,415	2,490 (April-June 1959. Exclusive of despatches from imports and unregistered re-rollers)
Agricultural and Small Scale Industries.	11,230 (For first half-year of 1959-60. Figures for second half-year is not available)	

A quantity of 1950 tons of pig iron was allotted in Pd.I/59-60. From Pd.II/59-60, the quota system has been abolished. Any consumer can now get pig iron without an authorisation. Despatch figures are not available.

#### Lease for Coal

\*723. Shri Vidya Charan Shukla: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the question of drafting a new standard lease form for coal, as per recommendation of the Mineral Advisory Board made in 1958, has been considered; and

(b) if so, the results thereof?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) The question is under consideration.

(b) Does not arise.

**Flood Victims in West Bengal**

\*724. **Shrimati Renu Chakravarty:** Will the Minister of Finance be pleased to state:

(a) whether West Bengal Government has asked for a Rs. 3 crore loan to help flood victims to rebuild their houses under "Build Your Own House Scheme";

(b) whether any detailed scheme has been submitted;

(c) whether the districts to be benefited have been mentioned and if so, which are they; and

(d) whether the money has been sanctioned?

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** (a) to (d). A statement indicating the position, is laid on the Table of the House. [See Appendix II, annexure No. 108].

**Purchase of Jet Helicopters**

\*725. **Shrimati Mafida Ahmed:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that the Government are negotiating with Sikorski Helicopter Corporation of U.S.A. to buy S-62 Jet helicopters; and

(b) if so, the details thereof?

**The Deputy Minister of Defence (Sardar Majithia):** (a) and (b). There have been no negotiations. Government, however, have the helicopter programme under active consideration. Offers for the demonstration of different types are being received from manufacturers and arrangements are being made for their demonstration.

**Gold Deposits in Madhya Pradesh**

\*726. **Shri Kameshwar Tantia:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that gold deposits exist in the basaltic areas of

Ujjain district in Madhya Pradesh; and

(b) if so, what steps have been taken to exploit the deposits?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) No, Sir.

(b) Does not arise.

**Purchase of Drilling Rigs from Russia**

\*727. **Shri S. A. Mehdi:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether some Russian drilling rigs have been purchased for oil drilling;

(b) if so, the total amount paid for them; and

(c) where these are to be installed?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) Yes, Sir. Three "3D" deep drilling rigs were purchased from U.S.S.R. in 1956. Two "5D" deep drilling rigs have been purchased recently from U.S.S.R. by the Oil and Natural Gas Commission.

(b) Rs. 1,37,30,000 for three "3D" drills and Rs. 1,14,85,000 for two "5D" drills.

(c) The 3D drills are in operation at Hoshiarpur, Cambay and Sibsagar. The two 5D drills are likely to be used in Cambay area.

**Output of Steel in Bhilai and Rourkela**

\*728. { **Shri Kasliwal:**  
          { **Shri P. C. Borooh:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether there is a serious cut in the production of steel at the Bhilai and Rourkela steel plants;

(b) whether this is due to reduced supply of metallurgical coal from Bokaro and Kargali Coal Washerries to these two steel plants; and

(c) what steps Government propose to take to ensure adequate output of steel from these plants?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) No, Sir

(b) and (c). Do not arise.

#### Lodging of Criminal Complaints

\*729. **Shri P. C. Barooah:** Will the Minister of Home Affairs be pleased to state:

(a) whether the attention of Government has been drawn to the news-item published in the *Hindustan Times* dated the 25th November, 1959 that a new method of harassing people is coming in vogue in Delhi, by lodging criminal complaints, mostly of cheating, in distant parts of the country; and

(b) if so, what steps Government have taken or propose to take in the matter?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) Government have seen the newspaper report in question.

(b) Government cannot control proceedings in Criminal Courts; but it is for the Courts, who have full authority, to take action against persons who file false or vexatious complaints.

#### Delhi Students

\*730. **Shri Radha Raman:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that a very large student population of Delhi has migrated to adjoining schools and colleges in East Punjab, Rajasthan and Uttar Pradesh due to the policy of Delhi University not to allow outside universities to hold their examinations here which had been the practice for many years;

(b) whether as a result thereof widespread resentment among students and cases of their indiscipline are being noticed in and around Delhi;

(c) whether Government are taking any suitable action in the matter; and

(d) if so, the nature thereof?

**The Minister of Education (Dr. K. L. Shrimati):** (a) Government have no information to this effect. The University of Delhi have also intimated that they have not laid down any policy debarring outside Universities from holding their examinations in Delhi, nor have they any information that very large student population of Delhi has migrated to adjoining schools and colleges in East Punjab, Rajasthan and Uttar Pradesh.

(b) to (d). Do not arise.

#### Police Firing in Manipur

\*731. **Shri L. Achaw Singh:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that there was a clash between the police and local peasants in the village of Phumlo in Manipur on the 13th November, 1959 and two peasants have been seriously injured as a result of police firing;

(b) if so, the conditions under which the police opened fire; and

(c) the nature of casualties as a result of the clash?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) to (c). The facts are stated in the report received from the Chief Secretary, Manipur Government, which is laid on the Table of the House. [See Appendix II, annexure No. 109].

नई दिल्ली में आभूषणों की दुकान में चोरी  
 अधी प्रकाश वीर शास्त्री :  
 अधी भोजन स्वरूप :  
 \*732. अधी खुशबूक राय :  
 अधी यादव :  
 अधी अर्जुन सिंह भद्रोलिया :  
 अंग राम हरण गुप्त :

क्या गृह-कार्य मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या यह सच है कि रविवार २२ नवम्बर, १८८१ की रात्रि को जनपद, नई दिल्ली में आभूषणों की एक दुकान में चोरी हुई थी;

(ख) यदि हां, तो उसमें कितनी हानि हुई;

(ग) अब तक पुलिस द्वारा क्या पग उठाये गये हैं;

(घ) क्या अब तक कोई अपराधी गिरफ्तार किया गया है;

(ङ) क्या यह भी सच है कि एक चीकीदार नशे में होने के कारण पकड़ा गया है;

(च) क्या पुलिस रात में गश्त लगाती है और यदि हां, तो मुख्य बाजार में इन्हीं बड़ी चोरी बयों हो गई; और

(छ) भविष्य में व्यापारियों की ज्यादा के लिये क्या उपाय किये गये हैं?

गृह कार्य मंत्री (अंग गो. ब० पन्त) :

(क) जी हां।

(ख) करीब १। लाख रुपये का नुकसान होने का अनुमान है।

(ग) और (घ). मामले की जांच-पहलाल हो रही है।

(ङ) जी हां।

(च) पुलिस रात को गश्त लगाती है। इसका क्षेद है कि तब भी कभी कभी चोरी हो जाती है।

(छ) इसके की गश्त समाने के लिये पुलिस का एक स्पेशल स्टाफ तैनात कर दिया है।

### Technicians for Iron and Steel Industry

\*733. Shri Ram Krishan Gupta: Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the number of technicians in the various fields of Iron and Steel Industry in our country is adequate;

(b) if not, the steps taken by Government to meet this shortage; and

(c) by what time this shortage will be made up?

The Minister of Steel, Mines and Fuel (Sardar Swaran Singh): (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 110].

### Double Taxation

Shri Ajit Singh Sarhadi:  
 Shri Kam Krishan Gupta:  
 Sardar Iqbal Singh:  
 Shri Ram Garib:  
 Shri Kama Singh:  
 Shri Karu Singhji:  
 Shri Arjun Singh  
 Bhadauria:  
 Shri Tangamani:  
 Shri Panigrahi:  
 Shri Manabendra Shah:

Will the Minister of Finance be pleased to state:

(a) whether the negotiations between India and Japan for an agreement to avoid double taxation have been concluded;

(b) if so, the result thereof;

(c) the main terms of the agreement; and

(d) whether a copy of the agreement will be laid on the Table?

**The Deputy Minister of Finance (Shrimati Tarakeshwari Sinha):** (a) Yes, Sir.

(b) Following negotiations in Tokyo, agreement has been reached between the tax delegations of the Governments of Japan and India at technical level on the draft of an agreement for the avoidance of double taxation of income between the two countries. The agreement now requires to be approved by the respective Governments and ratified.

(c) As certain formalities have yet to be completed by the Government of Japan and the Government of India before the Agreement can be published, it will not be possible to disclose the terms of the Agreement at this stage.

(d) Copies of the Agreement will be placed on the Table of the House as soon as the Agreement is ratified.

#### Ferro-Chrome Plant in Orissa

\*735. **Shri Panigrahi:** Will the Minister of Steel, Mines and Fuel be pleased to state the progress made so far in setting up the ferro-chrome plant in Orissa?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** A low shaft furnace plant in Orissa which is licensed to produce ferro-chrome, in addition to pig iron and ferromanganese has begun producing pig iron. Another plant, in Orissa, which is licensed to produce ferro-chrome, besides ferro-manganese and ferro-silicon is expected to go into production by the middle of 1961.

#### Central Co-ordinating Committee for Welfare Schemes

\*736. **Shri R. C. Majhi:**  
**Shri Subodh Hansda:**

Will the Minister of Home Affairs be pleased to state:

(a) whether the Central Co-ordinating Committee for proper working of Welfare Schemes for backward classes has been appointed; and

(b) if not, the reasons therefor?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) No, Sir.

(b) The matter is under examination.

#### Briquetting and Carbonising Plant, Neyveli

\*737. **Shri Subodh Hansda:**  
**Shri S. C. Samanta:**  
**Shri R. C. Majhi:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether the project report for the Briquetting and Carbonising Plant at Neyveli has been prepared;

(b) if so, the total estimated cost of this project; and

(c) whether this has been approved by Government?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Yes.

(b) and (c). Government have agreed to the Neyveli Lignite Corporation Limited inviting global tenders on the basis of that Project Report. The last date for the receipt of quotations is the 15th December, 1959. The estimated cost of the Project is between Rs. 10 and 12 crores.

#### Elections in Kerala

\*738. **Shri Harish Chandra Mathur:**  
**Shri S. M. Banerjee:**  
**Shri Panigrahi:**  
**Shri Warior:**  
**Shri Naval Prabhakar:**  
**Shri Bhakt Darshan:**  
**Shri Supakar:**  
**Shri Rameshwar Tantia:**  
**Shri Narayananakutty Menon:**  
**Shri Punnoose:**

Will the Minister of Law be pleased to state:

(a) whether the schedule of General Elections in Kerala has since been finalised; and

(b) if so, when the elections are likely to be held?

**The Deputy Minister of Law (Shri Hajarnavis):** (a) and (b). The programme for the General Election in Kerala has not yet been drawn up by the Election Commission. The present indications, however, are that it may be called in the fourth week of December, 1959, and the date or dates of poll fixed in the first week of February, 1960.

#### Compulsory Social Service

\*739. **Shri Goray:**  
**Shri Ram Krishan Gupta:**  
**Shri Ramakrishna Reddy:**  
**Shri D. C. Sharma:**  
**Shri Damani:**  
**Shri Amjad Ali:**

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 105 on the 5th August, 1959 and state:

(a) whether various aspects and implications of the scheme for introduction of compulsory social service and disciplinary training in camp life as conditions precedent to conferment of University Degrees have been examined;

(b) if so, with what results; and

(c) the steps proposed to be taken to implement it?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (c). A statement is laid on the Table of the House. [See Appendix II, annexure No. 111].

#### उत्तर प्रदेश में तेल सर्वेक्षण

\*740. श्री भृष्ट दर्शन: क्या इस्पात, लाल और ईंधन मंत्री २ मार्च, १९५६ के तारीकित प्रश्न संख्या ८१५ के उत्तर के संबंध में एक ऐसा विवरण सभा पटल पर रखने की कृपा करेंगे जिसमें निम्नलिखित जानकारी दी गई हो:

(क) उत्तर प्रदेश के हिमालय की तलहटी में तेल सर्वेक्षण का जो कार्यक्रम चल रहा था उसमें अब तक क्या प्रगति हुई है;

(ख) अब तक किन-किन स्थानों पर यह सर्वेक्षण किया गया है;

(ग) उनमें से प्रत्येक के बारे में उस सर्वेक्षण के फलस्वरूप किन-किन तथ्यों का पता लगा है; और

(घ) इस सर्वेक्षण कार्य के कब तक समाप्त हो जाने की आशा की जाती है?

**लाल और तेल मंत्री (श्री किंदो देव मानवीय):** (क) तथा (ख). अभी तक नैनीताल गढ़वाल, सहारनपुर और देहरादून के ज़िलों में, नाहन तथा हरिद्वार के बीच और काठगुदाम तथा नैनाल सीमा के मध्य में भूगोल भूगर्भीय सर्वेक्षण (Reconnaissance Geological Survey) का कार्य किया गया है। लगभग २,००० बांग मील की मानविकारी और ३०० से ऊपर रेखीय मील पर सांरेक्षण (traversing) का काम अब तक पूरा किया गया है।

(ग) कुछ आकर्षण (Structures) का निरीक्षण किया गया है।

(घ) वर्तमान स्थिति में यह बताना कठिन है क्योंकि अभी तक विस्तृत मानविकारी का काम अधिक मात्रा में होना है। यह मानविकारी का काम तृतीय योजना काल में भी जारी रखा जायेगा।

**Higher Technological Institute at Kanpur**

\*741. **Shri S. M. Banerjee:**  
**Shri Panigrahi:**  
**Shri Kalika Singh:**

Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether land for the establishment of the Higher Technological

Institute at Kanpur has been finally acquired;

(b) if so, whether construction work has since started; and

(c) whether this work is likely to be completed in 1960?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** (a) A portion of land measuring 610/04 acres, which is needed for the first phase of development, has been acquired.

(b) No, Sir.

(c) It will take 4-5 years to complete the work for the Institute.

**Central Public Health Engineering Research Institute at Nagpur**

\*742. **Shri D. C. S. Arora:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Starred Question No. 114 on the 5th August, 1959 and state the further progress made in setting up the Central Public Health Engineering Research Institute at Nagpur?

**The Minister of Scientific Research and Cultural Affairs (Shri Humayun Kabir):** The Government of Bombay have handed over to the Council of Scientific and Industrial Research 109.92 acres of land in Nagpur for the establishment of this Institute. Plans and estimates for the Main Building have been prepared by the Architects. Tenders are to be called for shortly.

**Keeping out Unfit from University Education**

\*743. { **Shri Hem Raj:**

{ **Shri Chuni Lal:**

Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 741 on the 13th August, 1959 and state by what time the Government would take a decision on the proposal to keep out those students from joining Univer-

sities who are not properly fitted and have no real intellectual keenness?

**The Minister of Education (Dr. K. L. Shrimali):** The proposal to keep out unsuitable students from joining Universities by holding Entrance tests was considered and discussed by the University Grants Commission in their meeting held on the 17th and 18th September, 1959. The matter will be discussed further and suitable measures considered at a subsequent meeting of the Commission.

**Industrial Estates in Universities**

{ **Dr. Ram Subhag Singh:**  
 \*744. { **Shri Hem Barua:**  
 { **Shri Muhammed Elias:**  
 { **Shri Rameshwar Tantia:**

Will the Minister of Education be pleased to state:

(a) whether Government have any scheme to start small industrial estates in selected Universities in the country;

(b) if so, the nature thereof; and

(c) the response so far received towards the scheme from universities?

**The Minister of Education (Dr. K. L. Shrimali):** (a) to (c). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 112].

**Payment of Lease Money by Bhilai Steel Works**

\*745. **Shri Vidya Charan Shukla:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that the Collector of Durg District of Madhya Pradesh has given a notice to the General Manager of Bhilai Steel Works to pay Rupees four lakhs of royalty dues immediately, failing which appropriate legal action has been threatened against the officers and vehicles of the Bhilai Steel Works;

(b) if so, whether any royalty has been paid up to date; and

(c) whether any mining lease deed has been executed between the Bhilai Steel Works and the Madhya Pradesh Government?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Yes, Sir.

(b) A sum of Rs. 951,826.84n<sup>P</sup> has been paid upto date to the State Government as royalty dues. This includes rupees four lakhs paid on *ad hoc* basis.

(c) Of nearly 1895 acres of land for which applications for mining lease have been made, permission has been granted by the State Government in respect of 1546 acres. Formal deeds have been executed in respect of 51 acres of land.

#### Agreement between Bharat Electronics Ltd. and Pye Telecommunications Ltd.

**\*746. Shri Ram Krishan Gupta:** Will the Minister of Defence be pleased to refer to the reply given to Starred Question No. 1099 on the 3rd September, 1959 and state:

(a) whether Government have got the consent of M/s. Pye Telecommunications Ltd., for disclosing the details of the agreement signed between the Bharat Electronics (P) Ltd. and them; and

(b) if so, the details and main terms of the agreement?

**The Deputy Minister of Defence (Shri Raghuramaiah):** (a) No, Sir. However, as directed by the Speaker and as desired by the Chairman of the Estimates Committee a copy of the Agreement concluded with M/s. Pye Tele-Communications Ltd., has been shown to the Chairman of the Estimates Committee.

(b) Does not arise.

#### Steel Supply to States

**\*747. { Shri R. C. Majhi:  
Shri Subodh Hansda:**

Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether it is a fact that the allotment of iron and steel to the States is not even 50 per cent. of their demand;

(b) if so, the reason thereof; and

(c) what percentage of demand for iron and steel has been met in the year 1959 upto the end of October to Orissa?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) So far as pig iron is concerned, there is no scarcity and any one can indent for iron according to his requirements without any authorisation. For steel the allotment covers more than 60 per cent. of the States' demand.

(b) Availability is less than the demand.

(c) Allotment has been made to cover almost the entire demand during the period from 1st January, 1959 to 30th September, 1959.

दिल्ली में अवैध शराब बनाना।

\*748. { श्री भक्त दश्मंशः  
श्री नवल प्रभाकरः  
पंडित द्वादश नाथ तिवारीः  
श्री राम कृष्ण गुप्तः  
श्री पांगरकरः

क्या गृह-कार्य मंत्री १३ अगस्त, १९५६ के तारीकत प्रश्न संख्या ४२८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) क्या दिल्ली में अवैध शराब बनाने वालों को जुर्माने के साथ-साथ कड़ी कैद की सजा देने के प्रश्न के बारे में निर्णय किया गया है;

(ख) यदि हां, तो यह निर्णय कब से लागू किया जायेगा ; और

(ग) अवैध शराब बनाने तथा उसकी बिक्री समाप्त करने के लिये कौन सी विशेष कार्यवाही की जा रही है ?

गृह-कार्य मंत्री (श्री गोदावरी पन्त) :

(क) और (ख) पंजाब आवकारी

(संशोधन) एक, १९५६ विली में सितम्बर, १९५६ से लगू कर दिया गया है जिसमें गैर-कानूनी शराब बनाने और दूसरी नक्षीली चीजें तैयार करने पर ज्यादा सजाओ की व्यवस्था है।

(ग) गैर-कानूनी शराब तैयार करने और बेचने के काम को खत्म करने के लिये ये सास उपाय भी किये गये हैं :—

(i) एक एक्साइब इंडीजेन्स ब्यूरो और पुलिस विभाग में एक अलग बांध सोल ही गई है।

(ii) पुलिस और आबकारी विभाग के कर्मचारी शक वाले मार्मो और बस्तियों में जल्दी जल्दी छापे मारते हैं।

(iii) मुखियों को इनाम देने के लिये ज्यादा रकम रखी गई है।

#### Free and Compulsory Primary Education

\*748. 

Shri S. M. Banerjee:	Shri Panigrahi:
Shri D. C. Sharma:	Shri Sarju Pandey:
Shri Ram Krishan Gupta:	

Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 138 on the 5th August, 1959 regarding free and primary education and state what further progress has been made in this regard?

The Minister of Education (Dr. K. L. Shrimali): A statement is given below.

#### STATEMENT

The further progress made in the matter of drafting a Model Legislation for Compulsory Education and also in the preparation of estimates for Compulsory Education Scheme is as follows:

(a) The Draft Model Legislation for Free and Compulsory Education

is being considered further in the light of the comments received from State Governments and the suggestions made by the all-India Council for Elementary Education. The revised draft will be sent to the State Governments for their guidance very shortly.

(b) Regarding the preparation of the estimates for providing free and compulsory primary education during the Third Five Year Plan, the estimates received from the State Governments were placed before the Central Working Group on Education for the Third Five Year Plan. The Working Group has recommended a revised basis for the preparation of estimates and, in the light of this new basis the estimates prepared by the State Governments are being revised.

#### Common Police Reserve Force in Northern Zone

\*750. { Shri D. C. Sharma:  
Shri Ajit Singh Sarhadi:

Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1318 on the 22nd August, 1959, and state:

(a) whether the scheme to constitute a pool of Common Police Reserve Force for the Northern Zone has since been finalised;

(b) if so, the details thereof; and

(c) where the Central Police office is to be located?

The Minister of Home Affairs, (Shri G. B. Pant): (a) Yes.

(b) and (c). The scheme provides for the pooling of the agreed quota from the existing reserves in the States and Union territories of the Zone to form a common force which would be available when required in an emergency anywhere in the Zone. Arrangements would be made for the joint training of the reserve force for a short period every year by rotation in the different States, etc. The I.G.P.s. of the States would be in

charge of co-ordination of matters relating to the common reserve force by turn.

**Criteria for Determining Backwardness**

\*751. { Shri Hem Raj:  
Shri Ram Krishan Gupta:  
Shri D. C. Sharma:  
Shri Madhusudan Rao:  
Shri Kalika Singh:  
Dr. Ram Subhag Singh:  
Shri Rameshwar Tantia:  
Shri Siddhiah:

Will the Minister of Home Affairs be pleased to refer to the reply given to Starred Question No. 254 on the 10th August, 1959 and state at what stage is the question of fixing the criteria for the determination of backward classes?

**The Deputy Minister of Home Affairs (Shrimati Alva):** The matter is still under consideration.

**Murder in New Delhi**

\*752. { Dr. Ram Subhag Singh:  
Shri D. C. Sharma:  
Shri P. C. Borooh:  
Shri Sanganna:  
Shri Rameshwar Tantia:  
Shri Madhusudan Rao:  
Shri Hem Raj:

Will the Minister of Home Affairs be pleased to state:

(a) whether a cold-blooded murder of a three year old child was committed recently in Defence Colony, New Delhi;

(b) whether the mother of the child was also seriously wounded;

(c) whether similar crimes have increased in Delhi and New Delhi areas;

(d) if so, the causes thereof; and

(e) what additional precautionary measures are being taken by Government to put an end to such crimes?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) Yes.

(b) Yes.

(c) No.

(d) Does not arise.

(e) Police patrolling has been intensified and police wireless cars with armed constables patrol these areas round the clock.

**Welfare of S.T. and S.C. in Bombay State**

1140. **Shri Pangarkar:** Will the Minister of Home Affairs be pleased to state:

(a) the share of the Central Government in 1959-60 for welfare of Scheduled Tribes in Bombay State;

(b) the share of the Central Government in 1959-60 for welfare work among the Scheduled Castes in Bombay State?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). The ceilings fixed for these welfare schemes in Bombay State during 1959-60 are as follows:-

	State Plan Schemes (Rs. in lakhs)	Centrally sponsored Schemes (Rs. in lakhs)
Scheduled Tribes	49.38	54.83
Scheduled Castes	61.25	16.255

The Central Government's grant will be 50 per cent. of the actual expenditure incurred on State Plan schemes and the entire expenditure actually incurred on approved schemes under the Centrally sponsored Programme.

**Old Paintings**

1141. **Shri Narasimhan:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the policy of Government with regard to copying of old paintings through tracing;

(b) whether it is a fact that artists set to copying fix tracing paper over the paintings and trace with pencil;

(c) whether it is a fact that some of the paintings have been damaged this way; and

(d) the action proposed to be taken in the matter?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Paintings in protected archaeological monuments are covered by Rule 40 and 41 of the Ancient Monuments and Archaeological Sites and Remains Rules, 1958. So far as other paintings are concerned, each case will need individual consideration on merits.

(b) No, Sir. Tracing paper is not allowed to be affixed over the painting. It is affixed on the unpainted portion of the surface. Tracing is done with very soft and blunt pencils.

(c) and (d). Do not arise.

#### Arts and Crafts in Delhi Middle Schools

**1142. Shri Ramji Verma:** Will the Minister of Education be pleased to state:

(a) whether it is a fact that the study of art and crafts will be made compulsory in middle schools in Delhi and rural areas from next July;

(b) whether the new syllabus has been prepared; and

(c) whether a copy of the new syllabus will be placed on the Table?

**The Minister of Education (Dr. K. L. Shrimali):** (a) The matter is under consideration.

(b) An integrated syllabus for Basic and non-Basic Schools is under preparation which will be introduced in Middle Schools in Delhi from the next academic year.

(c) Yes, if the member so desires.

#### Income-Tax Collections in U.P.

**1143. Shri Kalika Singh:** Will the Minister of Finance be pleased to state:

(a) the figures of collections of income tax circles for the years 1957-58 and 1958-59 in Uttar Pradesh;

(b) the broad reasons explaining increase or decrease in the collections in different circles of Uttar Pradesh; and

(c) the total number of assessees circle-wise for the years 1955-56, 1956-57, 1957-58 and 1958-59?

**The Minister of Finance (Shri Morarji Desai):** (a) A statement giving the required information is laid on the Table. [See Appendix II, annexure No. 113.]

(b) There is not much change in the collection figures in the various circles. The better collections out of arrears and the rise in the number of assessees are responsible for increase in collections in some circles, whereas the decrease in some of the circles has been due to the grant of larger refunds as a result of appeals and revisions etc.

(c) The required information is being collected and it will be laid on the table of the House as early as possible.

#### Protected Monuments

**1144. Shri Kalika Singh:** Will the Minister of Scientific Research and Cultural Affairs be pleased to lay on the Table a statement showing:

(a) a list of protected monuments in respect of which action has been taken or is being taken against removal, defacement or misuse under the Ancient Monuments and Archaeological Sites and Remains Act of 1958;

(b) the steps that have been taken under the new rules enforced on the 15th October, 1958 to further protect the monuments from defacement, destruction, misuse or removal; and

(c) the method by which information is collected for listing the monuments and the way complaints are invited from public?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) There is no protected

monument in respect of which action has been taken or is being taken under the Ancient Monuments and Archaeological Sites and Remains Act of 1958.

(b) The Act enforced on the 15th October, 1959 (and not 1958) provides for a penalty of Rs. 5,000 or imprisonment upto three months, or both, for doing any act which causes damage or injury to any part of a monument.

(c) Monuments to be protected are selected by Government on the basis of the inspection reports by officers of the Department of Archaeology. There is no prescribed means for calling for complaints. Any one who has any complaint to make can write to the Department of Archaeology.

#### National Archives of India

1145. **Shri Kalika Singh:** Will the Minister of Education be pleased to state:

(a) whether the National Archives of India has any scheme to prepare and publish press lists of papers relating to the events of 1857 (region-wise) and other important historical events affecting the country as a whole;

(b) whether the list of papers and records connected with struggle for Independence in 1857 and 1858 in the region of Uttar Pradesh and Madhya Pradesh and the books on this subject will be published with the assistance of records of National Archives after the year 1947;

(c) whether the princely States of India have handed over important papers and records to National Archives of India after the independence; and

(d) if not, what efforts are being made in this respect?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). No, Sir. But, a chapter relating to the events of the struggle for Independence in 1857 and 1858 is proposed to be included in the History of the Freedom Movement in India now being written,

and the material available in the National Archives of India and in the repositories of Uttar Pradesh, Madhya Pradesh and other regions might be utilised in this connection.

(c) No. But, with the integration of the former princely States with one or other of the existing constituent units of the Indian Union, the ownership of regular official archives of the former has passed to the successor States who, it is believed, are in full possession and control of them. Some of the successor States or Administrations have, however, subsequently transferred such records as were of historical value to the National Archives of India. Such records of the former Bhopal State are thus already with the National Archives, and those of Gwalior, Indore and Rewa, will be taken over shortly. The records of the former Hyderabad State are also expected to be taken over from the Government of Andhra Pradesh when the proposed Regional Office of the National Archives of India is opened at Hyderabad.

(d) Does not arise so far as official records are concerned. As regards important papers and records which are the private property of the Rulers, appeals had been issued in the past inviting them to make a gift of their collections to the nation. Appeals are even now being issued from time to time to all private individuals which include the Rulers also.

#### Trade and Crafts Facilities in Delhi Jail

1146. **Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) the net income from trade and crafts facilities in prisons in Delhi during 1958-59; and

(b) the details of the scheme devised by Government to rehabilitate those prisoners who are given training of various crafts after release?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Rs. 51,693-00.

(b) A scheme for after-care and the rehabilitation of released prisoners is under consideration.

**Commissioner for Scheduled Castes and Scheduled Tribes**

1147. Shri Siddhia: Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 242 on the 5th August, 1959 and state:

(a) whether the Commissioner for Scheduled Castes and Scheduled Tribes has submitted the report for the year 1958-59;

(b) if so, whether a copy of it will be laid on the Table; and

(c) if the answer to part (a) above be in the negative, the reasons therefor?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). Yes, Sir.

(c) Does not arise.

**Monuments in Assam**

1148. Shrimati Mafida Ahmed: Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) the total amount allotted for the maintenance and repair of the Centrally protected monuments in Assam for 1959-60; and

(b) whether the amount allotted in the year 1958-59 for the above purpose has been fully spent?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Rs. 20,565.

(b) About 3/4th of the amount allotted was spent.

**Grants to Gauhati University**

1149. Shrimati Mafida Ahmed: Will the Minister of Education be pleased to state:

(a) the amount given as grants to the Gauhati University by the Uni-

versity Grants Commission during 1959-60 so far; and

(b) the amount given during 1958-59?

**The Minister of Education (Dr. K. L. Shrimali):** (a) Rs. 1,76,303.42 (upto 2-12-1959).

(b) Rs. 18,20,239.

**Nav Hindi Girls Higher Secondary School, Delhi**

1150. Shri S. M. Banerjee: Will the Minister of Education be pleased to state:

(a) on what account and under whose orders a sum of Rs. five per head was charged from the new students at the time of test for admission into Class IV by the Nav Hind Girls Higher Secondary School, Rohtak Road, Delhi;

(b) whether this amount has since been refunded to the respective students;

(c) if not, the reasons therefor; and

(d) what is the result of the investigation and what action Government have taken or propose to take in the matter?

**The Minister of Education (Dr. K. L. Shrimali):** (a) The School authorities at their own discretion realised a sum of Rs. five from those students who had been selected by them for admission by way of a security in order to prevent the selected students from seeking admissions simultaneously elsewhere. The amount realised has been adjusted against the tuition fees of the students concerned.

(b) and (c). Do not arise.

(d) The School authorities have been asked not to repeat this practice in future.

## Strength of N.C.C. in Delhi

1151. Shri D. C. Sharma: Will the Minister of Defence be pleased to state:

(a) the strength of the National Cadet Corps in Delhi at present; and  
 (b) the number of Divisions functioning there?

The Minister of Defence (Shri Krishna Menon): (a) and (b). The Senior Division, the Junior Division and the Girls Division are functioning in Delhi. The actual strength of the NCC in Delhi State on 30-11-59 was as under:

Senior Division	Cadets	Rs.
Army	836	
Navy	120	
Air	160	
<b>TOTAL</b>	<b>1,116</b>	

Junior Division	Cadets	Rs.
Army	2,025	
Navy	225	
Air	945	
<b>TOTAL</b>	<b>3,195</b>	

Girls Division	Cadets	Rs.
Senior Wing	135	
Junior Wing	765	
<b>TOTAL</b>	<b>900</b>	
<b>GRAND TOTAL</b>	<b>5,211</b>	

This is against an authorised strength of 5,846 cadets. The decision to increase the authorised strength from 4,607 to the present strength was taken in the last week of October, 1959 and it is expected that the deficiencies will soon be made up.

## Removal of Untouchability in Himachal Pradesh

1152. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the amount proposed to be allotted by the Central Government for propaganda for removal of untouchability in the Union Territory of Himachal Pradesh during 1959-60;

(b) the nature of the schemes on which the amount is to be spent; and

(c) whether the Himachal Pradesh Administration have submitted any scheme in this regard?

The Deputy Minister of Home Affairs (Shrimati Alva): (a) to (c). A sum of Rs. 9,000 has been allotted for the purpose. The Administration propose to spend this amount on the following schemes:

	Rs.
(i) Issue of posters and pamphlets	1,000
(ii) Community sets	1,000
(iii) Visual publicity	2,000
(iv) Pay and allowances of driver and maintenance of Van	5,000
<b>TOTAL</b>	<b>9,000</b>

## Offences under the Untouchability (Offences) Act, 1955

1153. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state the number of persons who had been prosecuted in Punjab during 1958-59 under the Untouchability (Offences) Act, 1955?

The Minister of Home Affairs (Shri G. B. Pant): 23 persons were prosecuted under the Untouchability (Offences) Act, 1955, during the period from January, 1958 to June, 1959.

## Visas to Foreigners

1154. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of foreigners to whom visas to visit India were issued during the third quarter of the year 1959; and

(b) the names of the countries to which these persons belong?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) According to the information received so far, the number (excluding Commonwealth citizens and Pakistan nationals) is 6,803.

(b) The names of the countries are:—

Afghanistan;

U.S.A.;

Argentina;

Austria;

Belgium;

Burma;

China;

Denmark;

Netherlands;

Philippines;

Finland;

France;

Germany;

Greece;

Hungary;

Indonesia;

Iran;

Iraq;

Israel;

Italy;

Japan;

Mexico;

Norway;

Oman;

Portugal;

U.S.S.R.;

Sweden;

Switzerland;

Thailand;

Vietnam;

Yugoslavia;

Yemen, etc.

**Pay Scales of Andhra Pradesh Teachers**

**1155. Shri Madhusudan Rao:** Will the Minister of Education be pleased to state:

(a) whether the affiliated colleges in Andhra Pradesh have received financial assistance from the University Grants Commission for improvement of salary scales of the teachers; and

(b) if so, the amount so far granted, year-wise?

**The Minister of Education (Dr. K. L. Shrimall):** (a) Yes, Sir.

(b) The following grants have been paid so far by the University Grants Commission to the Universities of Andhra and Osmania under the territorial jurisdiction of Andhra Pradesh Government towards the improvement of salary scales of teachers of affiliated colleges:

	1958-59	1959-60 (so far)
	Rs.	Rs.
(i) Andhra University	1,50,769.70	8,830.25
(ii) Osmania University	6,029.64	—

**Gifts of Hindi Books to Andhra Pradesh Schools**

**1156. Shri Madhusudan Rao:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 182 on the 18th Novemoer, 1959 and state:

(a) why gifts of Hindi books were not made to the schools and colleges in Andhra Pradesh; and

(b) whether such gifts will be made to the schools and colleges in Andhra Pradesh during 1959-60?

**The Minister of Education (Dr. K. L. Shrimall):** (a) The scheme was designed for supply of books to schools only. Requirements of Andhra Pradesh were received late.

(b) Books for the year 1959-60 for distribution among non-Hindi speaking States will be selected shortly. The books will be distributed to all non-Hindi speaking States including Andhra Pradesh, for school libraries only.

**Welfare Homes in Delhi**

**1157. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) the number of women's welfare homes in Delhi, the places where they are functioning and the number of women in each of them; and

(b) the expenditure incurred on them during the year 1958-59 and the details thereof.

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). A statement containing the information in possession of Government is laid on the Table of the House. [See Appendix II, annexure No. 114].

**Aid to Political Sufferers in Delhi**

**1158. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) the number of political sufferers who have been given monetary grants during 1958-59 and 1959-60 so far in the Union Territory of Delhi;

(b) the total amount of monetary grants given so far; and

(c) how many applications are pending for disposal at present?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) 1958-59—15,

1959-60 (Upto 30th November, 1958)—51.

(b) 1958-59—Rs. 6,125,  
1959-60 (Upto 30th November, 1959)—Rs. 12,250.

(c) Six.

In addition, a sum of Rs. 39,400 was disbursed to 61 political sufferers in Delhi during 1958 and 1959 as small loans for starting business or industry.

**Aid to Political Sufferers in Punjab**

**1159. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) whether any aid or relief has been given by the Central Government to the political sufferers or their families in Punjab during the period from 1957-58 to 1958-59;

(b) if so, the number of such persons or families; and

(c) the amount given to them?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) Yes.

(b) Four.

(c) Rs. 1,600.

**Pakistanis in India**

**1160. Shri D. C. Sharma:** Will the Minister of Home Affairs be pleased to state:

(a) the number of Pakistani nationals who over-stayed in India even after the expiry of their visas during July to November, 1959; and

(b) the number of cases in which visas of the Pakistani visitors were extended during the above period?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). The information is being collected and will be laid on the Table of the House as soon as it is available.

**International Conferences on Education**

**1161. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) the names of International conferences concerning Education in which India participated during 1959-60 so far; and

(b) the expenses borne by the Government of India on these conferences?

**The Minister of Education (Dr. K. L. Shrimall):** (a) and (b). A statement is given below.

**STATEMENT**

International Conferences concerning education in which India participated during 1959-60 so far Expenses borne by the Govt. of India

	Rs.
1. Commonwealth Education Conference held in U.K. in July, 1959.	30,840
2. 22nd International Conference on Public Education held in Geneva from 6th to 15th July, 1959.	1126-9-0

Besides the above, a sum of Rs. 8,217 was given out of Education Minister's Discretionary Fund to enable Dean T. K. N. Menon of the Baroda University to cover his expenditure from Bombay to Tokyo and back for participating in the International Conference on Educational Research held at Tokyo from 30th August, 1959 to 8th September, 1959. Dean Menon had been invited in his individual capacity

#### Abduction Cases in Delhi

1162. Shri D. C. Sharma: Will the Minister of Home Affairs be pleased to state:

(a) the number of reported abduction cases of married women and unmarried girls in Delhi during July-November, 1959 as compared to the figures for the corresponding period in the year 1958; and

(b) the number of women and girls recovered during each of the above periods?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). A statement containing the requisite information is given below.

#### STATEMENT

Year	Number of abduction cases reported			Number of women and girls recovered		
	Married Women	Un-married girls	Total	Married women	Un-married girls	Total
1. 1958 (July to Nov.)	8	1	9	6	1	7
2. 1959 (July to Nov.)	9	1	10	7	1	8

#### Grants to Calcutta and Saugar Universities

1163. Shri D. C. Sharma: Will the Minister of Education be pleased to state the amounts given as grants to the following Universities during 1958-59 and 1959-60, so far, separately:

- Calcutta University; and
- Saugar University?

The Minister of Education (Dr. K. L. Shrimall):

	1958-59	1959-60
	Rs.	Rs.
(i) Calcutta University	30,10,508	10,93,050.22
(ii) Saugar University	5,31,094.35	5,53,165.87

#### Tribal Welfare

1164. Shri N. M. Deb: Will the Minister of Home Affairs be pleased to state what amount has so far been spent during the Second Five Year Plan for Tribal Welfare e.g., improvement of village roads, providing costly medicines, etc.?

The Deputy Minister of Home Affairs (Shrimati Alva): A statement showing the amounts spent during the first three years of the Second Five Year Plan for Tribal Welfare is given below. The figures for the current financial year have not yet become available.

## STATEMENT

(Rs. in lakhs)

	1956-57	1957-58	1958-59
State Sector	276.513	374.775	389.211
Central Sector	124.295	223.102	318.5716
<b>TOTAL</b>	<b>400.808</b>	<b>597.877</b>	<b>707.782</b>

ADoes not include expenditure incurred by the Government of Madras, figures for which are still awaited from them.

**Folk Songs and Paintings of  
Uttar Pradesh**

**1165. Shri D. C. Sharma:** Will the Minister of Scientific Research and Cultural Affairs be pleased to lay a detailed statement on the Table showing the steps so far taken or proposed to be taken for collection, preservation and popularisation of folk songs and paintings of the hilly and other areas of Uttar Pradesh?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** A statement is laid on the Table. [See Appendix II, annexure No. 115].

**Translation of Acts into Hindi**

**1166. Shri D. C. Sharma:** Will the Minister of Law be pleased to refer to the reply given to Unstarred Question No. 3156 on the 16th April, 1959 and state the titles of the Acts which have since been translated into Hindi upto the 30th November, 1959?

**The Deputy Minister of Law (Shri Hajarnavis):** A statement of the titles of Acts translated into Hindi from 1st August, 1959 to 30th November, 1959, and now under print is given below. The statement of the titles of Acts translated into Hindi from 1st April, 1959 to 31st July, 1959 and which was

then under print was placed on the Table of the House on 27th August, 1959 in reply to Unstarred Question No. 1604.

## STATEMENT

*Statement of the Titles of Acts translated into Hindi from 1st August, 1959 to 30th November, 1959 and now under print*

1. The Railway Protection Force Act, 1957.
2. The Mines Act, 1952 (modified up to date).
3. The Mines Maternity Benefit Act, 1941.
4. The Central Sales Tax (Second Amendment) Act, 1958.
5. The Northern India Canal and Drainage Act, 1873.
6. The Workmen's Compensation Act, 1923 (Revised edition) (modified up to date).
7. The Census Act, 1948.
8. The Uttar Pradesh Cantonments (Control of Rent and Eviction) Act, 1952.

**Import of Steel from Japan**

**1167. Shri D. C. Sharma:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) whether Government of India have imported steel from Japan during 1959, so far; and

(b) if so, the quantity thereof and the quantity to be imported during the remaining period of the year 1959?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Yes. Sir.

(b) 88,970 tons were imported from Japan upto the end of November, 1959. Another 10 to 15 thousand tons are expected to be received in December, 1959.

**Training of I.A.F. Personnel**

**1168. Shri D. C. Sharma:** Will the Minister of Defence be pleased to state:

(a) whether there is any arrangement for facility for training of Indian Air Force personnel in other Commonwealth Countries; and

(b) if so, the nature of training being given to the Indian personnel?

**The Minister of Defence (Shri Krishna Menon):** (a) Yes.

(b) (i) Advanced courses in flying and technical training and staff duties.

(ii) Familiarisation courses on specialised equipment.

**Basic Education in Delhi**

**1169. Shri D. C. Sharma:** Will the Minister of Education be pleased to state:

(a) whether there has been any assessment of basic education in Delhi; and

(b) if so, the details thereof?

**The Minister of Education (Dr. K. L. Shrimall):** (a) Government of India appointed an Assessment Committee on Basic Education to evaluate the working of basic education in the country and to suggest ways and means for its future development. Besides visiting selected institutions in all the States and most of the Union Territories, the Committee paid visits to several basic schools and the two Basic training institutes of Delhi and submitted its Report in 1958.

(b) The information is given in the Report of the above Committee (Ministry of Education: Publication No. 234) copies whereof are available in the Parliament Library.

**Expert Committee on Equipment for Engineering Colleges**

**1170. Shri Ram Krishan Gupta:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Expert Committee set up under the All India Council for Technical Education to go into the question of requirements of equipment for engineering institutions has submitted its report; and

(b) if so, the details thereof?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) and (b). The Committee has completed its main work, and the report is being finalised.

The Committee has prepared revised lists of equipment required for degree and diploma courses in Civil, Mechanical and Electrical Engineering. The equipment has been classified broadly into two categories, viz. (i) which could be obtained from indigenous sources, and (ii) which has to be imported. The Committee has also suggested certain measures for facilitating the supply of equipment from both sources.

**Production of Pig Iron in Rourkela**

**1171. Shri Panigrahi:** Will the Minister of Steel, Mines and Fuel to please to state:

(a) whether the monthly production of pig iron in Rourkela Steel Plant has improved since July, 1959; and

(b) if so, the monthly production of pig iron in Rourkela Steel Plant since July, 1959?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) Yes, Sir.

(b)—

		Metric tons
July	.	14,362
August	.	16,885
September	.	15,695
October	.	18,465

**Production and Export of Mica**

1172. **Shri Shree Narayan Das:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the latest position with regard to production of mica in the country;

(b) how does the present position compare with the position during the last five years;

(c) the reasons for the shrinkage, if any, in production;

(d) the steps taken to improve the production; and

(e) the results achieved?

**The Minister of Mines and Oil (Shri K. D. Malaviya):** (a) and (b). The production of Mica during 1958 was 31,811 tons. The production figures for 1959 can only be assessed after the year is over. The present position does not compare unfavourably with the position during the last five years.

(c) to (e). Do not arise.

**New Federation of Defence Employees**

1173. **Shri Keshava:** Will the Minister of Defence be pleased to state:

(a) the total up-to-date strength of members of the All India Defence Employees' Federation;

(b) the strength of the newly constituted Indian National Defence Workers' Federation; and

(c) whether the new Federation has been recognised?

**The Minister of Defence (Shri Krishna Menon):** (a) Figures supplied by All India Defence Employees Federation on 23rd November, 1959 are being assessed.

(b) Figures of the newly-constituted Federation as asked for have not as yet been received.

(c) In accordance with the rules issued by Government, recognition to Unions/Federations can be granted

inter alia on fulfilment of prescribed conditions which are known to all concerned Trade Unions and include a prescribed proportion of workers in the establishment as members of the applying Union/Federation. The new Federation has been asked to submit the relevant information which is promised and is expected to be furnished.

**Suspension of Employees in Defence Organisations**

1174. **Shri Keshava:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that workers in the defence organisations are kept under suspension for the entire period of their involvement in any petty case of any kind, civil or criminal;

(b) whether such employees are not paid any subsistence allowance during the period of suspension; and

(c) how many such instances of suspension have happened in the defence installations during the year 1958-59?

**The Minister of Defence (Shri Krishna Menon):** (a) A worker is suspended from duty only when there are adequate reasons for doing so; and only for the period that is considered absolutely necessary.

(b) An employee is paid subsistence allowance according to departmental rules. Only industrial employees with less than one year's service are not entitled to the subsistence allowance under these rules.

(c) The information is being collected and will be laid on the Table of the Lok Sabha.

**Defective Storage Conditions at a Central Ordnance Depot**

1175. { **Shri Ram Krishan Gupta:**  
**Shri Nathwani:**  
**Shri Morarka:**

Will the Minister of Defence be pleased to state:

(a) whether it is a fact that large stocks of camouflage nets of various



(b) the nature of progress made so far in the development of the Centre?

**The Minister of Education (Dr. K. L. Shrimali):** (a) The allotment order is expected to be issued shortly.

(b) Does not arise.

#### **Educational Aid to Orissa**

**1180. Shri Panigrahi:** Will the Minister of Education be pleased to refer to the reply given to Unstarred Question No. 2651 on the 11th September, 1959 and state:

(a) the amount of increased assistance given to Orissa on the Central schemes after taking into consideration the State's backwardness in the field of education; and

(b) what are the specific Central schemes which received increased assistance during the period 1957-58, 1958-59 and 1959-60?

**The Minister of Education (Dr. K. L. Shrimali):** (a) and (b). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 116].

#### **District Gazetteers in Orissa**

**1181. Shri Panigrahi:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether any grant has been given to the Government of Orissa for the compilation of District Gazetteers so far;

(b) if so, the amount thereof; and

(c) the progress achieved?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) No, Sir.

(b) Does not arise.

(c) The drafts for Kerapet and Puri District Gazetteers are reported to be nearing completion.

#### **Colonies for Scheduled Castes and Scheduled Tribes, Orissa**

**1182. Shri Panigrahi:** Will the Minister of Home Affairs be pleased to refer to the reply given to Unstarred Question No. 1384 on the 22nd August, 1959 and state:

(a) the names of the 18 colonies which have been started for the Scheduled Tribes in Orissa;

(b) whether all these colonies have been completed;

(c) if so, the total number of scheduled tribe people now living in these colonies;

(d) whether such colonies have also been started in Orissa for the Scheduled Caste people;

(e) if so, how many; and

(f) the amount allotted by the Central Government for this purpose to Orissa in 1959-60?

**The Deputy Minister of Home Affairs (Shri Mati Alva):** (a) to (f). The requisite information is being obtained from the State Government and will be laid on the Table of the House as soon as it is received.

#### **Central Loan to Orissa**

**1183. Shri Panigrahi:** Will the Minister of Finance be pleased to state:

(a) the total amount of Central Loan which was due from Orissa on the 31st March, 1959;

(b) the total amount of interest which is due from Orissa till the 31st March, 1959 on Central loans advanced to Orissa;

(c) whether Orissa has made any payment towards the interest charges so far; and

(d) if so, the amount paid by the State Government so far?

**The Minister of Finance (Shri Morarji Desai):** (a) Rs. 123.33 crores approximately.

(b) to (d). A sum of Rs. 3.67 crores was due from and paid by the Government of Orissa during the year 1958-59 on this account.

### Tobacco Cultivation in Orissa

1184. Shri Panigrahi: Will the Minister of Finance be pleased to state:

(a) the total area brought under tobacco cultivation in Orissa during 1958-59 (district-wise);

(b) whether the acreage under tobacco crops in Orissa has showed any decline in comparison to total acreage in 1957-58; and

(c) if so, the reasons for such decline?

The Minister of Finance (Shri Morarji Desai): (a) A statement showing the required information is given below.

(b) No, Sir.

(c) Does not arise.

### STATEMENT

Statement showing the total area brought under tobacco cultivation in Orissa during 1958-59 (crop year) (District-wise)

Serial No.	Name of the District	Acreage under tobacco cultivation	Acres
		1	2
1. Cuttack		539.91	
2. Keonjhar		2.08	
3. Dhenkanal		22.54	
4. Koraput		2856.74	
5. Kalahandi		38.00	
6. Ganjam		505.00	
7. Puri		30.00	
8. Sundergarh		4.00	
9. Sambalpur		42.58	
10. Bolangir		249.15	
11. Balasore		Nil.	
12. Phulbani		Nil.	
13. Mayurbhanj		Nil.	
TOTAL		4290.00	

प्रसेनिक कर्मचारियों के प्रशिक्षण के लिए राष्ट्रीय अकादमी

११८५. श्री भक्त दर्शन : क्या गृह-कार्य मंत्री २७ अगस्त, १९५८ के तारांकित प्रश्न संख्या १५६८ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि :

(क) प्रसेनिक कर्मचारियों के प्रशिक्षण के लिये मसूरी में एक राष्ट्रीय अकादमी की स्थापना और संचालन में अब तक क्या प्रगति हुई है ; और

(ल) क्या उक्त अकादमी के लिये निर्धारित पाठ्यक्रम बताने वाला एक विवरण सभा-पटल पर रखा जायेगा ?

गृह-कार्य मंत्री (श्री गो० ब० पन्त) :

(क) नेशनल अकादमी आफ एडमिनिस्ट्रेशन की मसूरी में पहली सितम्बर, १९५८ से स्थापना हो गई है ।

(ल) नेशनल अकादमी आफ एडमिनिस्ट्रेशन में दिये जाने वाले प्रशिक्षण के विभिन्न विषयों के पाठ्यक्रम का एक विवरण सभा-पटल पर रख दिया गया है । [दोस्रे परिचय II, अनुबंध संख्या ११३]

मिर्जा गालिब का मकान

श्री भक्त दर्शन :  
११८६. श्री नवल प्रसाद :  
श्री ब० ब० शर्मा :

क्या वैज्ञानिक अनुसन्धान और सांस्कृतिक कार्य मंत्री १० अगस्त, १९५८ के तारांकित प्रश्न संख्या २८४ के उत्तर के संबंध में यह बताने की कृपा करेंगे कि दिल्ली में मिर्जा गालिब के मकान को एक स्मारक में बदलने की योजना के सम्बन्ध में इस बीच क्या प्रगति हुई है ?

वैज्ञानिक अनुसन्धान श्रीर सांस्कृतिक कार्य मंत्री (श्री हुमायून कबीर) : इस बीच सकाम अफसर ने आयदाद के विभिन्न दावेदारों के हिस्सों को घरेलग कर लिया है और मकान की कीमत और उस में संरक्षक का हिस्सा भी तय कर दिया है ।

**Payment of Hospital Stoppage by Defence Employees**

**1187. Shri S. M. Banerjee:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that worker who sustains injury or accident while on duty has to pay hospital stoppage while in the hospital;

(b) if so, whether a representation has been made by the All India Defence Employees' Federation requesting discontinuance of such recoveries; and

(c) if so, the reaction of the Government?

**The Minister of Defence (Shri Krishna Menon):** (a) Industrial employees under the Army, Navy and Air Force recruited on or after 1st August, 1949, who belong to Class III, and all non-industrial and industrial employees in Ordnance Factories, are required to pay hospital stoppage. Re. 1 per diem subject to a maximum of half the pay and allowance due to them for period of their treatment in Hospital.

(b) Yes, Sir.

(c) It has not been found possible to accept the demand in view of the varying entitlements of different categories of workers in the matter of medical treatment. Revision of medical entitlements of various categories of staff including rate of hospital stoppages will depend on Government's decision on Pay Commission's recommendations.

**Colonies for Scheduled Castes in U.P.**

**1188. { Shri S. M. Banerjee:**  
**Shri Panigrahi:**

Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that the Central Government have advanced or propose to advance any financial assistance to the Government of Uttar Pra-

desh for the construction of colonies for Scheduled Castes during 1959-60;

(b) if so, amount paid so far; and

(c) the amount still to be paid?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) No, Sir. There is only a housing programme.

(b) and (c). Do not arise.

**Discrimination between Industrial and Non-Industrial Employees**

**1189. { Shri S. M. Banerjee:**  
**Shri Panigrahi:**

Will the Minister of Defence be pleased to refer to the reply given to Unstarred Question No. 221 on the 13th August, 1959 and state whether the disparity between the industrial and non-industrial civilian employees in Defence Services in the matter of leave and holidays has since been removed?

**The Minister of Defence (Shri Krishna Menon):** The Ad-hoc Committee has since submitted its report. The Committee has not recommended the removal of all disparities in the matter of leave and holidays for Non-Industrial and Industrial employees but has recommended changes in certain respects only. Since then the Pay Commission's report has been received. Government's decisions on Pay Commission's recommendations on some of these matters are awaited.

**हिमाचल प्रदेश में निवृत्ति-वेतन के मामले**

**११६०. ज्ञ. पथ देव :** क्या गृह-कार्य मंत्री यह बताने को कृपा करेंगे कि :

(क) हिमाचल प्रदेश में इस समय निवृत्ति-वेतन के फ.तने मामले विद्याराषीन हैं; और

(ख) निवृत्ति-वेतन के मामलों का निर्णय होने से पूर्व कितने कर्मचारी मर गये?

भृत्यान्यं यंको (वी सो यो कर्ता) :

(क) २६३।

(ल) ३६।

Rehabilitation Department, Manipur Administration

1191. Shri L. Achaw Singh: Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that some irregularities have been detected in the accounts and disbursal of grants in the Rehabilitation Department of the Manipur Administration during 1958-59; and

(b) whether any action has been taken against the former officer in charge of the Rehabilitation Department?

The Minister of Home Affairs (Shri G. B. Pant): (a) and (b). The information is being collected and will be laid on the Table of the House.

#### Study of Civics in Delhi Schools

1192. Shri M. B. Thakore: Will the Minister of Education be pleased to state:

(a) whether Civics has been introduced in Higher Secondary Schools of Delhi as an elective subject; and

(b) if so, the number of schools in which this subject has been introduced?

The Minister of Education (Dr. K. L. Shrimall): (a) Yes, Sir.

(b) 144.

#### Forests in Andamans

1193. Sardar A. S. Saigal: Will the Minister of Home Affairs be pleased to state:

(a) what is the total area around Port Cornwallis, Andamans (such as Diglipur, Blair Bay, etc.) cleared by the Forest Department and M/s. P. C. Ray and Co. and given for rehabilitation purposes;

(b) the quantity of timber removed by the Forest Department and M/s. P. C. Ray and Co. separately; and

(c) the number of trees left in the areas separately cleared by the Forest Department and M/s. P. C. Ray and Co.?

The Minister of Home Affairs (Shri G. B. Pant): (a) The total area cleared by:

(i) the Forest Department . 1,931 acres

(ii) M/s. P. C. Ray and Co. 2,524 acres

(b) Quantity of timber removed by :

(i) Forest Department . Nil.

(ii) M/s. P. C. Ray & Co. 862 tons

(c) Number of trees left in the areas cleared by :

Trees

(i) Forest Department . 7,800

(ii) M/s. P. C. Ray & Co. 1,479

#### Estate Duty on Agricultural Property

1194. Shri Damani: Will the Minister of Finance be pleased to state:

(a) whether Government have received Resolutions passed by the State Legislatures under Article 252 of the Constitution agreeing to the imposition of Estate duty on agricultural property as envisaged in the Estate Duty Amendment Act, 1958; and

(b) if so, the dates on which such resolutions were passed by the respective State Legislatures and the dates when they were received by the Government of India and sanction for collection of such taxes given?

The Minister of Finance (Shri Morarji Desai): (a) Government have received resolutions under Article 252 of the Constitution requesting Parliament to apply the provisions of the Estate Duty (Amendment) Act, 1958.

to the levy of estate duty on agricultural lands in the State from the Legislatures of the following States:

1. Andhra Pradesh,
2. Assam,
3. Bombay,
4. Kerala,
5. Madhya Pradesh,
6. Madras,
7. Mysore,
8. Punjab,
9. Rajasthan, and
10. Uttar Pradesh.

In Bihar, the resolution has been passed by the Legislative Council and remains to be passed by the Legislative Assembly.

In Orissa, the Estate Duty Act, 1953, was applicable to the levy of estate duty on agricultural lands. However, the Legislature of Orissa has passed a resolution that the Act should not so apply from 1st April, 1959.

The Estate Duty Act, 1953, did not apply to agricultural lands in the State of West Bengal, but certain territories which formed part of Bihar were transferred to West Bengal under Section 3 of the Bihar and West Bengal (Transfer of Territories) Act, 1956, and the principal Act applied to agricultural lands in those territories. The Legislature of West Bengal has passed a resolution to the effect that the principal Act should not apply to such territories from 1st April, 1959.

The provisions of the Estate Duty Act, 1953, did not apply to agricultural lands in the State of Jammu and Kashmir and hence the question of extending the Amendment Act to agricultural lands in that State does not arise.

(b) The dates on which the resolutions were passed by the respective Legislatures and the dates on which they were received by the Government are given in the statement laid on the Table of the Sabha. [See Appendix II, annexure No. 118.] However,

these dates by themselves are not material, as the Estate Duty (Amendment) Act of 1958 can be made applicable to agricultural lands in any State only after Parliament passes legislation to that effect. It is proposed to bring a Bill to this effect before Parliament after the Bihar Legislative Assembly passes the resolution under Article 232 of the Constitution.

#### Scheduled Castes and Scheduled Tribes in Central Government Departments

1195. **Shri M. R. Krishna:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of vacancies reserved for the Scheduled Castes and Scheduled Tribes in other than Class I and Class II posts in the Central Government Departments during 1958 which still remain unfilled; and

(b) the total number of posts other than Class I and Class II originally reserved for the Scheduled Castes and Scheduled Tribes but filled up so far by non-Scheduled Castes and non-Scheduled Tribes candidates as the Scheduled Castes and Scheduled Tribes persons were not available?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). Information is being collected and will be laid on the Table of the House.

#### Third Regular Temporary Establishment List

1196. **Shri A. M. Tariq:** Will the Minister of Home Affairs be pleased to state:

(a) whether it is a fact that in the third Regular Temporary Establishment list of Assistants all persons working as Assistants prior to 1st May, 1954 have been included; and

(b) if so, the reasons for fixing this target date and not considering service rendered as an Assistant during the complete calendar year of 1954?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes; if they have continuously been holding the posts of Assistants from dates prior to 1st May, 1954.

(b) The significance of adopting 1st May, 1954 as the crucial date is that the Central Secretariat Clerical Service Scheme came into being on this date. With effect from 1st May, 1954, promotions from the grade of clerks to the Assistants' grade were centralised and were to be made on an all-Secretariat basis.

**Third Regular Temporary Establishment List**

**1199. Shri A. M. Tariq:** Will the Minister of Home Affairs be pleased to state:

(a) the categories of persons amongst which the Third Regular Temporary Establishment list of Assistants has been constituted;

(b) the percentage of persons taken from each category;

(c) the categories of persons from which previous R.T.E. lists of Assistants had been constituted; and

(d) what percentage was reserved previously for persons taken from Grade I of the Central Secretariat Service?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) and (b). The various categories of temporary Assistants included in the provisional list of the Third Regular Temporary Establishment of Assistants and the percentage of persons included from each category, are indicated below, namely:—

Category	Total number (and percentage) of persons included in the (provisional) Third R.T.E.	
	1	2
(1) Permanent Grade I Clerks of the Central Secretariat Clerical Service	361 (25.0%)	

	1	2
(2) Quasi-permanent Assistants.	229 (15.9%)	
(3) Assistants who had qualified in the Second (1951) Test for Assistants' in their Grade I Clerks)	198 (13.7%)	
(4) Other temporary Assistants appointed to 1-5-54	557 (45.4%)	(including 61 persons who are also permanent Grade I Clerks)

(c) Previously, two R.T.E. lists of Assistants were constituted. The categories of persons included in the First R.T.E. of Assistants were:—

List A.—Temporary Assistants (including "recently" demoted Assistants) possessing certain prescribed length of service qualifications.

List B.—Assistants included in the "Non-Test" category for the purpose of appointments to Grade IV of the C.S.S. at its initial constitution.

List C.—Persons who had qualified in the 1950 test for Assistants' Grade (I Test).

List D.—Persons who had qualified in the 1951 test for Assistants Grade (II Test).

The categories of persons included in the Second R.T.E. of Assistants were:—

A. 50 per cent. normal quota (Total 1018 : 5000000000)

- (1) Permanent Grade I Clerks;
- (2) quasi-permanent Assistants; and
- (3) Second Test qualified Assistants, in the ratio of 4:3:1.

**B. 50 per cent. Examination quota (Total appointments: 310).**

**Temporary (including quasi-permanent) Assistants and Upper Division Clerks** who qualified in the Limited Competitive Examination for appointments to the Second R.T.E. of Assistants, held in January, 1958, in the order of their merit in the examination.

(d) The reference in this part of the Question presumably is to Grade I of the Central Secretariat Clerical Service. As the Central Secretariat Clerical Service was constituted only with effect from 1st May, 1954 and had not come into being at the time of constituting the First Regular Temporary Establishment of Assistants, the question of reserving a separate quota for this category for the purpose of that R.T.E. did not arise. For appointments to the Second R.T.E. of Assistants, a minimum quota of 25 per cent. was reserved for permanent Grade I clerks of the Central Secretariat Clerical Service.

#### Fish Market in Delhi

1200. { **Shri Ram Krishan Gupta:**  
**Shri Ajit Singh Sarhadi:**  
**Sardar Iqbal Singh:**  
**Shri A. M. Tariq:**

Will the Minister of Home Affairs be pleased to state at what stage is the proposal to set up an up-to-date fish market in Delhi?

**The Minister of Home Affairs (Shri G. B. Pant):** The scheme for the construction of a fish market in Dujana House has been approved by the Government of India, but its implementation is held due to the unwillingness of the residents of Dujana House to vacate the premises in spite of the offer of alternative accommodation. They are being persuaded to do so.

#### School of Archaeology in Delhi

1201. { **Dr. Ram Subhag Singh:**  
**Shri Narasimhan:**

Will the Minister of Scientific Research and Cultural Affairs be pleased

300 LSD—4.

to refer to the reply given to Unstarred Question No. 468 on the 10th August, 1959, and state:

(a) whether School of Archaeology has since been set up in Delhi;

(b) strength of teachers and the taught in that school; and

(c) the objective of this school?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Yes, Sir.

(b) (i) The School is under the charge of a Director who is assisted in the teaching work, as per requirements, by officers of the Union Department of Archaeology, who are specialists in the respective branches. Their number may be placed at ten.

(ii) There are eleven trainees in all, including one from Burma.

(c) To train young persons in Archaeology so that they may, after training, be equipped adequately to adopt archaeology as their profession.

#### Asar Mahal, Bijapur

**1202. Shri Narasimhan:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Government are aware of the partial or complete collapse of the Asar Mahal, Bijapur, in 1956;

(b) whether any enquiry has been conducted into the above matter;

(c) if so, the details of the enquiry; and

(d) the steps taken in that regard?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Yes, Sir. It was a partial collapse.

(b) Yes, Sir.

(c) In February, 1956, some ceiling planks of the ceiling joists of the vestibule of Asar Mahal broke down under the weight of a broken beam resting on them. One of the pillars

was also noticed to have gone out of plumb. Some cracks had also appeared on the top of walls. The site was inspected by the Circle Superintendent and tubular scaffolding was erected to support the sagging of the vestibule of the Asar Mahal. After carrying out these first aid measures against its apprehended collapse, the site was also inspected by the Archaeological Engineer and the Circle Superintendent on the 25th April, 1956. The Archaeological Engineer suggested substantial measures of repairs and the officers were instructed to take up these measures in hand immediately, when the vestibule collapsed on the 29th April, 1956. This partial collapse did not, however, cause any damage to the room where the Prophet's sacred hair are deposited or to the room containing some precious paintings of the 17th Century A.D.

(d) The monument was also inspected on the 25th October, 1956 by the Chief Engineer, Bombay P.W.D., whose advice was sought in taking up repairs to the fallen vestibule. Accordingly, an estimate amounting to Rs. 93,074 has been framed and the work entrusted to the State P.W.D.

#### Archaeological Engineers and Conservation Assistants

**1203. Shri Narasimhan:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state the general educational and technical qualifications for (i) Archaeological Engineers, and (ii) Conservation Assistants in the Department of Archaeology?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (i) The qualifications prescribed for direct recruitment as Archaeological Engineer are (a) Degree in Civil Engineering of a recognised University or equivalent, (b) about five years' experience in actual execution of Civil works under Government or in a private firm of repute, (c) knowledge of structural requirements of ancient monuments.

(ii) The qualifications prescribed for direct recruitment as Conservation Assistant are a diploma in Civil Engineering of a recognised Institute or equivalent.

The qualifications stated at (i) and (ii) above are relaxable in the case of departmental promotees.

#### Hindu Religious Endowment Boards

**1204. Shri Narasimhan:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether the Department of Archaeology is helping the Hindu Religious Endowments Boards of the State Governments of Madras, Andhra Pradesh and Mysore, which have a large number of monuments to care for, such as the temples of Madurai, Kumbakonam, Darasuram, Srirangam, Tirupati, etc; and

(b) the responsibility of the Department of Archaeology with regard to the proper conservation of these monuments.

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Advice is given by the Officers of the Department of Archaeology when sought for.

(b) The Union Department of Archaeology is responsible for the conservation of the protected monuments only.

मलाया और कम्बोडिया से भारतीय मेजर  
जनरलों का वापस बुलाया जाना

१२०५. { श्री सरब्र पांडेय :  
श्री अरविंद घोषाल :

क्या प्रतिरक्ता मंत्री यह बताने की  
कृपा करेंगे कि :

(क) क्या मेजर जनरल हड्डीबुल्ला  
और मेजर जनरल धनश्याम सिंह को, जिन्हें  
क्रमशः मलाया और कम्बोडिया भेजा गया  
था, वापस बुला लिया गया है ; और

(ख) यदि हाँ, तो इसके क्या कारण  
हैं ?

प्रतिरक्षा मंत्री (श्री श्रीव भेनन) :

(क) तथा (ब) : मलाया की फीड्रेशन ग्रामीण के डिपुटी जी० ग्रो० सी० का काम करते के लिए मेजर जनरल ई० हबीबुल्ला की सेवाएं, मलाया सरकार को अपित की गई थीं। अब मलाया सरकार इस योग्य हो गई है, कि इस पद के लिए अपने किसी अफिसर को नियुक्त कर सके। इस लिए मेजर जनरल हबीबुल्ला को भारत वापस बता लिया गया है।

जहां तक मेजर जनरल धनश्याम तिह का सम्बन्ध है, उनकी सेवाएं कम्बोडिया की सरकार को अप्रित नहीं की गई थीं। कुछ दूसरे राजिक आकुतिरो के साथ, वह कम्बोडिया में अन्तर्राष्ट्रीय आयोग की देवरेल और शासन सम्बन्धी सेवाएं कर रहे थे। सरकार की तर्जे बचाऊ नीति के प्रमुखार कर्म वारिगण को कम करने का नियंत्रण किया गया था, जिसके अवैतन मेजर जनरल धनश्याम तिह, एक करनेल और एक कानान को वहां से वापस बुला लिया गया है।

### Retirement Age of Professors

**1206. Shri Ajit Singh Sarhadi:** Will the Minister of Education be pleased to refer to the reply given to Starred Question No. 566 on the 19th August, 1959 and state:

(a) whether any universities have implemented the recommendations of the University Grants Commission that the retirement age of the professors and lecturers should be sixty uniformly with five years yearly extension at the discretion of appropriate authorities; and

(b) if so, the names thereof?

The Minister of Education (Dr. R. L. Shrimali): (a) Yes, Sir.

(b). The recommendations are already being followed by the following Universities:

(i) Aligarh.

(ii) **Bombay.**

- (iii) Gauhati.
- (iv) Jadavpur.
- (v) Madras.
- (vi) Nagpur.
- (vii) Utkal.
- (viii) Sri Venkateswara.

Universities of Bihar, Delhi, Patna and Rajasthan have also been following these recommendations with some modifications as indicated against each:—

- (1) Delhi—Ex'ension is granted only once upto the age of 63 years.
- (2) Bihar—Extension may be granted by one year at a time but not exceeding two years in all.
- (3) Patna—Provision exists for re-employment for two years at a time if no suitable person below 60 is available.
- (4) Rajasthan—Extension may be granted for three years only but not more than two years at a time.

The Universities of Andhra, Karnataka, Marathwada, Saugar, S.N.D.T. Women's and Vikram have agreed to implement the recommendations.

## Craft Teachers in Kerala Private Schools

1207. { Shri A. K. Gopalan:  
Shi V. P. Nayar:

Will the Minister of Education be pleased to state:

(a) whether Government has passed orders that the Craft Teachers in private schools in Kerala need not be paid their salaries for two or three months upto 31st July, 1959; and

(b) if so, the reasons therefor?

The Minister of Education (Dr. K. L. Shrimali): (a) and (b). No such

orders have been issued by the Government of India. The order in question was passed by the then Kerala Government.

The services of under-qualified teachers were dispensed with on the commencement of vacation on 31st March, 1959 but as a matter of concession they were re-employed on the condition that they would not be entitled to the payment of salary for the vacation.

**Fire Brigade Staff in Defence Installations**

**1208. Shri Ram Garib:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that Fire Bridge Staff Class III working in Defence Installations who have put in more than 16 years of service have not been confirmed so far;

(b) if so, what are the reasons therefor; and

(c) what are the rules for confirmation of such staff in the Defence Installations?

**The Minister of Defence (Shri Krishna Menon):** (a) and (b). The information is being collected and will be laid on the Table of the Lok Sabha.

(c) Rules for confirmation have not been separately framed for such staff. Generally, confirmation is effected on the basis seniority-cum-fitness, subject to special reservations that may be made from time to time in respect of scheduled castes/scheduled tribes etc. This does not, however, preclude Government from prescribing special conditions wherever it may be in public interest to do so.

**Gulburga Engineering College**

**1209. Shri Madhusudan Rao:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question

No. 252 on the 5th August, 1959 and state:

(a) whether the detailed plans and estimates for the construction of students' hostels for Gulburga Engineering College have since been received; and

(b) if so, what amount of loan has been sanctioned in this regard?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) Yes, Sir.

(b) Government have sanctioned an amount of Rs. 1 lakh as the first instalment.

**Kuchipudi Dance**

**1210. Shri Madhusudan Rao:** Will the Minister of Scientific Research and Cultural Affairs be pleased to refer to the reply given to Unstarred Question No. 1579 on the 27th August, 1959 and state:

(a) whether the Sangeet Natak Akademi has accepted the recommendations of the Andhra Pradesh Sangeet Natak Akademi to establish a school for Kuchipudi Dance; and

(b) if so, the details thereon?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) and (b). The matter is still under consideration of the Sangeet Natak Akademi.

**Assistant Executive Engineers in M.E.S.**

**1211. Shri Vidya Charan Shukla:** Will the Minister of Defence be pleased to refer to the statement laid on the Table of the House in reply to Unstarred Question No. 93 on the 19th November, 1958 and state:

(a) the results of Government's consideration of the proposals relating to confirmation of certain Executive and Assistant Executive Engineers in M.E.S. and filling up of certain permanent vacancies for Stores Officers' posts; and

(b) the action taken on the proposals for revising the cadre of permanent posts in the M.E.S. establishment?

**The Minister of Defence** (Shri Krishna Menon): (a) Eight permanent vacancies of Executive Engineers have since been filled. It is expected that the permanent posts of Assistant Executive Engineers and Senior Barrack Stores Officers will be filled shortly.

(b) Proposals for conversion of certain temporary posts in the M.E.S. into permanent ones are under consideration.

#### Multi-Purpose Schools

**1212. Shri Kalika Singh:** Will the Minister of Education be pleased to state:

(a) the progress made in the scheme of conversion of schools into multi-purpose schools (State-wise);

(b) the amount of Central Aid given to the different States for this purpose during the Second Five Year Plan so far (State-wise);

(c) what is the target to be accomplished in the remaining period of the Second Five Year Plan; and

(d) the special benefits which were observed as a result of conversion?

**The Minister of Education** (Dr. K. L. Shrimali): (a). Till the end of 1958-59 the position was as follows:

Andhra Pradesh	43
Assam	20
Bihar	61
Bombay	171
Jammu and Kashmir	..
Kerala	114
Madhya Pradesh	26
Madras	187
Mysore	72
Orissa	7
Punjab	136
Rajasthan	39

Uttar Pradesh	44
West Bengal	401
Tripura	8
<b>TOTAL</b>	<b>1,329</b>

(b). Till the end of 1958-59 the following amounts of Central Aid were spent by the State:

	Rs.
Andhra Pradesh	6,18,000
Assam	2,42,400
Bihar	3,56,100
Bombay	27,71,902
Jammu & Kashmir	..
Kerala	16,18,971
Madhya Pradesh	8,27,300
Madras	30,08,559
Mysore	9,65,027
Orissa	5,73,000
Punjab	49,29,000
Rajasthan	24,36,016
Uttar Pradesh	16,35,000
West Bengal	96,57,300
<b>TOTAL</b>	<b>2,96,38,575</b>

(c). 108 schools.

(d). It has led to the diversification of studies at the secondary level and the introduction of a number of courses having a vocational bias.

#### Tobacco Cultivation in Punjab

**1213. Shri Hem Raj:** Will the Minister of Finance be pleased to state:

(a) whether it is a fact that application for the cultivation of tobacco within the exemption limit of ten marlas are demanded by the Central Excise Department in the Kangra District of the Punjab;

(b) whether it is also a fact that the Excise Staff also conduct inspection at the harvesting time of these exempted plots; and

(c) if so, the reasons therefor?

**The Minister of Finance** (Shri Morarji Desai): (a) Growers cultivating tobacco in areas upto 6 cents

(approximately equivalent to 10 marlas) are not required to submit any application for the cultivation of tobacco in District Kangra of the Punjab State since such limited cultivation is covered by the exemption notified under rule 15 of the Central Excise Rules, 1944.

(b) Yes, Sir; in the course of sample survey, the area and yield of some of the exempted growers are checked by the Excise Staff to verify whether:

(1) the area exceeds the exemption limit of 6 cents notified under rule 15 *ibid*; and

(2) the yield exceeds the exemption limit of 40 lbs. notified under rule 16 *ibid*.

(c) This is done to ensure that there is no evasion of duty on tobacco.

#### Defence Lands in Kangra

**1214. Shri Hem Raj:** Will the Minister of Defence be pleased to state:

(a) whether it is a fact that lands in Mauza Awari Tehsil Palampur District, Kangra (Punjab) were taken on lease for the establishment of a military camp in 1942;

(b) if so, whether it is a fact that Rs. 250 per mensem was fixed as the compensation for the use of the water channel to be paid to the villagers of Awari;

(c) whether it is also a fact that the villagers of Awari were told that they would be paid compensation for the lands taken by Government;

(d) if so, the amount of compensation due to them for the (a) use of water, (b) loss of crop income, (c) occupation of land by the military from 1942 to 1959;

(e) the amount that has been paid so far for different items and for different years;

(f) the amount that is due to them on different items;

(g) whether any representation has been received from the villagers of Awari in this matter; and

(h) if so, the action taken thereon?

**The Minister of Defence (Shri Krishna Menon):** (a) to (h). A statement is laid on the Table of the Sabha. [See Appendix II, annexure No. 119.]

#### Enforcement of Money-lenders Act of Bombay in Tripura

**1215. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) whether the Tripura Administration have brought into force the Money-Lenders Act of Bombay which has been adopted for Tripura;

(b) if so, what measures have been taken to restrict the rate of interest in accordance with provisions of that Act; and

(c) whether any money lenders have been convicted in court for violation of any provision of the Act so far?

**The Minister of Home Affairs (Shri G. B. Pant):** (a) and (b). The Bombay Money-Lenders Act, 1946, was extended to the Union Territory of Tripura vide Government of India Notification No. G.S.R. 373 of the 23rd March, 1959. In accordance with the Rules framed by the Chief Commissioner under section 39(1) of the Act, the maximum chargeable rates of interest have been fixed as under:—

(a) On unsecured loans—12 %.

(b) On secured loans and other transactions of money-lending —9%.

(c) No case of violation of any of the provisions of the Act has been brought to the notice of the Administration since the publication of the said Rules in the Tripura Gazette on the 20th November, 1959.

**Tribal Zhumias in Tripura**

**1216. Shri Dasaratha Deb:** Will the Minister of Home Affairs be pleased to state:

(a) the total number of Tribal Zhumia families rehabilitated in Tripura (division-wise), during 1959-60 so far;

(b) the total number of tribal Zhumia families who remain partly-rehabilitated, their aid being partly paid; and

(c) the reasons for withholding payment of the rest of their financial aid?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) to (c). The information has been called for from the Tripura Administration and will be laid on the Table of the House as soon as it is received.

**Archaeological Circles in Mysore State**

**1217. Shri Vajpayee:** Will the Minister of Scientific Research and Cultural Affairs be pleased to state:

(a) whether Mysore State is divided into three Archaeological Circles;

(b) if so, the steps taken to co-ordinate the activities of these Circles; and

(c) whether there is any proposal to form a single Circle for the whole of the State?

**The Deputy Minister of Scientific Research and Cultural Affairs (Dr. M. M. Das):** (a) The State is covered by two Archaeological Circles.

(b) The work of the different Circles in the Union Department of Archaeology is co-ordinated by the Headquarters office of the Department.

(c) No, Sir.

**Advisory Committee in Kerala**

**1218. Shri Easwara Iyer:** Will the Minister of Home Affairs be pleased to state:

(a) whether for Kerala State an

Advisory Committee has been constituted under sub-section (5) of Section 115 of the State Reorganisation Act, to consider the representations from Civil Service personnel under the said Section;

(b) if so, the number of representations so far received from State Civil Service personnel, the number of such representations finally decided, and the number pending decision;

(c) whether representations have been received from members of the Subordinate Judiciary for settlement of inter se seniority between persons allotted from the Malabar area to the existing personnel in the erstwhile Travancore-Cochin area;

(d) if so, whether any one of the said representations has been forwarded to the Advisory Committee and decision taken thereon; and

(e) if not, the reasons for the delay?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Yes; A State Advisory Committee for Kerala State has been formed to deal with representations from non-gazetted service personnel from the State. A Central Advisory Committee has been formed at the Centre to deal with representations from all gazetted personnel of all the States affected by States Reorganisation Act, 1956.

	Central Advisory Committee	State Advisory Committee	Total
(b) Number received	333	1134	1467
Number finally decided	21	..	21
Number pending	312	1134	1446

(c) 2 representations from gazetted officers of the Subordinate Judiciary have been received and forwarded to the Central Advisory Committee. 77

representations from the gazetted officers of the Subordinate Judiciary are pending with the State Government.

(d). Yes; the representations forwarded to the Central Advisory Committee are still under the consideration of the Advisory Committee.

(e). The recommendation of the Committee has not yet been received.

### Colombo Plan

1219. **Shri K. U. Parmar:** Will the Minister of Finance be pleased to state the total number of persons sent abroad under the Colombo Plan during 1959 so far?

**The Minister of Finance (Shri Morarji Desai):** 872.

### Technical Assistance Programme

1220. **Shri K. U. Parmar:** Will the Minister of Finance be pleased to state the number of students and technical personnel sent to foreign countries for study during 1957-58, 1958-59 and 1959-60 so far, separately under the Technical Assistance Programme?

**The Minister of Finance (Shri Morarji Desai):** The number of persons sent abroad under the Technical Assistance Programme are as follows:

(i) 1957-58 (1st July, 1957 to 30th June, 1958) . . . . .	766
(ii) 1958-59 (1st July, 1958 to 30th June, 1959) . . . . .	1136
(iii) 1959-60 so far (1st July, 1959 to 30th November, 1959) . . . . .	617

### अर्कोन का तस्कर व्यापार

१२२१. **श्री यादव :**  
श्री अर्जुन सिंह भद्रीरिया :

व्या वित नंदी यह बताने की कृपा करें कि :

(क) १९४८ से लेकर १९५६ तक प्रति वर्ष अर्कोन के तस्कर व्यापार के कितने ये मामले पकड़े गये;

(ल) इस के परिणामस्वरूप कितनी अर्कोन वस्तु की गई; और

(ग) सरकार द्वारा इस सम्बन्ध में क्या कार्रवाई की जा रही है?

**वित मंत्री (श्री जोरारदी देसाई) :**  
(क) और (ल), मारी गयी सूचना का विवरण सभा पड़स पर रखा गया है। [देखिये परिधिष्ठ २, अनुबन्ध संख्या १२०]

(ग) इस मामले में सरकार ने जो जल्दी कदम उठाये हैं उनमें से कुछ ये हैं:-

(१) और भी अच्छे नियंत्रण के लिए अर्कोन की लंबी को आस-पास के इलाकों में ही संभित करना;

(२) अलग-वलग पड़े हुए इलाकों में अर्कोन की लंबी को बन्द करना;

(३) अर्कोन दैद करने वाले इलाकों में रोक-वाप करने वाले कर्मचारियों की तादाद बढ़ाना;

(४) जिन जगहों से चोरी-छिपे अर्कोन लारी जा सकती हैं वहां राज्य के आवकारी (एक्साइज) महकने और पुलिस के कर्मचारियों के साथ फ्लाईर नशीली चीजों के महकने के असरों द्वारा सड़क के रास्ते आने-जाने वालों की तलाशी लेना;

(५) नशीली चीजों के सम्बन्ध में गुत सूचना देने वाले महकने द्वारा चोरी छिपे अर्कोन लाए जाने की रोकवाप करने वाले सभी महकनों के काम में तालमेल कायम करना;

(६) भारत में चोरी-छिपे चीजें लाने या यहां से ले जाने की रोक-वाप करने वाले महकनों के कर्मचारियों की, प्रादेशिक आषार पर, सभ्य सभ्य पर बैठक करना ताकि जाने लायक बातें एक दूसरे को बतायी जा सकें और हिति को देखते हुए चोरी-छिपे चीजें लाने या ले जाने की रोक-वाप करने वाले नीजूदा दलों में केवल दल किया जा सके।

**Life Insurance Corporation Building  
in Nairobi**

1222. { **Shri Ram Krishan Gupta:**  
          { **Shri P. G. Deb:**

Will the Minister of Finance be pleased to state:

(a) whether it is a fact that Life Insurance Corporation awarded a contract of the value of Rs. 41 lakhs to an Indian firm in Nairobi for the construction of its office building in that place;

(b) whether it is also a fact that the successful bidder did not submit the lowest tender; and

(c) if so, the reasons for awarding contract to the above firm?

**The Minister of Finance (Shri Morarji Desai):** (a) A tender for the construction of an office building of the Life Insurance Corporation in Nairobi was approved for Shs. 41 lacs. This sum was subsequently reduced by negotiation to Shs. 36 lacs. The contract will be signed shortly.

(b) Yes, Sir.

(c) On the basis of technical advice available to them, the Corporation considered this to be the best offer.

**Headquarters of Hindustan Steel Ltd.**

1223. **Shri N. R. Muniswamy:** Will the Minister of Steel, Mines and Fuel be pleased to state:

(a) the cost involved in shifting the Headquarters of Hindustan Steel Limited from Delhi to Ranchi; and

(b) whether any skeleton staff is to remain in Delhi?

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** (a) About Rs. 2 lakhs would be the cost of transport.

(b) Yes, Sir.

**Scheduled Castes and Scheduled Tribes in Punjab**

1224. **Shri Daljit Singh:** Will the Minister of Home Affairs be pleased to state:

(a) the actual amount spent on Scheduled Castes and Scheduled Tribes agriculturists in Punjab State during 1958-59 and 1959-60 so far; and

(b) the number of agriculturists benefited thereby?

**The Deputy Minister of Home Affairs (Shrimati Alva):** (a) and (b). A statement giving the required information for the year 1958-59, is placed below.

As regards 1959-60, it is not possible to furnish the information at this stage as the Progress Report for six months ending 30th September, 1959, which is due from the State Government by 31st December, 1959, has not yet been received.

**STATEMENT** (Rs. in lakhs)

Category of Backward Class	STATE SECTOR		CENTRAL SECTOR	
	Amount spent in 1958-59	Number of families benefited	Amount spent in 1958-59	Number of families benefited
Scheduled Tribes . . . . .	0.13	*	0.07	*
Scheduled Castes . . . . .	..	..	6.40	320 families

\*The schemes are such that the number of families benefited cannot be ascertained specifically. The targets achieved under the schemes which directly benefited the individual cultivators are as follows:

**State Sector:** 115 maunds of improved wheat and vegetable seeds, 248 mds. of chemical fertilizers and 1360 fruit plants were distributed among the cultivators. Two local residents were trained & appointed as Agriculture Inspector and Agriculture Sub-Inspector respectively and three more are under training.

**Central Sector:** 1825 fruit plants and insecticides worth Rs. 870 approximately were distributed among the cultivators.

#### Assessment of Income-tax in Hoshiarpur and Amritsar Districts

**1225. Shri Daljit Singh:** Will the Minister of Finance be pleased to state the number of persons who have been assessed during 1958-59 for income-tax on an annual income of over a lakh of rupees and over fifty thousand rupees separately within Hoshiarpur and Amritsar Districts of Punjab?

**The Minister of Finance (Shri Morarji Desai):** The information is being collected and a statement giving the information will be laid on the Table of the House as early as possible.

#### Class IV Employees in Kerala

**1226. Shri V. Eacharan:** Will the Minister of Home Affairs be pleased to state:

(a) whether all the last grade employees of former Malabar District, who were temporary at the time of re-organisation of States on the 1st November, 1958 were made permanent in Kerala State;

(b) if not, how many are still temporary; and

(c) how many class IV posts have been made permanent in Malabar

after 1st of November, 1958 and how many persons have been newly recruited against these posts?

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** (a) Pending finalisation of integration of services as a result of reorganisation of States, no confirmations have been made after the 1st November, 1958.

Among the staff allotted to Kerala from Madras State consequent on States Reorganisation, there were many persons holding appointments in the Last Grade Service under the emergency provision of the Madras Rules, i.e. on a purely temporary basis. These persons have been classified into the following three groups for the purpose of regularising them:

- (1) Those who were in possession of the age and educational qualifications prescribed for the posts under the Madras Rules at the time of first appointment and who were appointed before a specified date.
- (2) Persons who did not possess the prescribed qualifications at the time of their appointment but who had put in a minimum service of two years on 1st November, 1958.
- (3) Others.

Orders have been issued in consultation with the Kerala Public Service Commission for regularising the service of persons coming under group (1). The cases of persons coming under group (2) is under consideration. Persons coming under group (3) are not being considered for regularisation.

(b) and (c). The information is being collected and will be laid on the Table of the House.

#### Social Services Conference

**1227. Shri P. G. Deb:** Will the Minister of Education be pleased to state:

(a) whether a Conference on organisation and administration of Social

Services in Asia and Far East was held in New Delhi on the 16th November, 1959;

(b) if so, the names of the countries which participated in it; and

(c) what were the decisions taken?

**The Minister of Education (Dr. K. L. Shrimall):** (a) Yes, Sir.

(b) Ceylon, Republic of China, India, Indonesia, Iran, Japan, Korea, Laos, Federation of Malaya, New Zealand, Pakistan, Philippines, Thailand and Vietnam.

(c) No resolutions have been adopted but a report embodying the discussions is under preparation by the United Nations.

issued by the President in relation to the State of Kerala, a copy of each of the following Notifications published in Kerala Gazette:—

(i) No. T.B.I.-10008/56PW dated the 1st June, 1959 making certain amendments to the Travancore-Cochin Motor Vehicles Rules, 1952.

(ii) No. T.B.I.-10008/56PW dated the 1st June, 1959 making certain amendments to the Madras Motor Vehicles Rules, 1940. [Placed in Library, See No. LT-1773/59].

#### AMENDMENTS TO MEDICINAL AND TOILET PREPARATIONS (EXCISE DUTIES) RULES

**The Deputy Minister of Finance (Shrimati Tarkeshwari Sinha):** Sir, I beg to lay on the Table, under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955, a copy of Notification No. G.S.R. 1296 dated the 28th November, 1959 making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956. [Placed in Library, See No. LT-1774/59].

#### AMENDMENT TO CENTRAL EXCISE RULES

**Shrimati Tarkeshwari Sinha:** Sir, I beg to lay on the Table, under Section 38 of the Central Excises and Salt Act, 1944 a copy of Notification No. G.S.R. 1297 dated the 28th November, 1959 making certain further amendment to the Central Excise Rules, 1944. [Placed in Library, See No. LT-1775/59].

#### ANNUAL REPORT OF INDIAN MINING AND CONSTRUCTION COMPANY (PRIVATE) LIMITED

**The Minister of Steel, Mines and Fuel (Sardar Swaran Singh):** Sir, I beg to lay on the Table, under sub-section (1) of Section 639 of the Companies Act, 1956, a copy of the Director's Annual Report of the Indian Mining and Construction Company (Private) Limited (as amended) for

12 hrs.

#### PAPERS LAID ON THE TABLE

##### AMENDMENT TO KERALA CINEMAS (REGULATION) RULES

**The Minister of State in the Ministry of Home Affairs (Shri Datar):** Sir, I beg to lay on the Table under sub-section (3) of Section 13 of the Kerala Cinemas (Regulation) Act, 1958 read with clause (b) of the proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala, a copy of Notification No. G.O. MS 408/59 dated the 15th May, 1959 published in Kerala Gazette making certain amendment to the Kerala Cinemas (Regulation) Rules, 1958. [Placed in Library, See No. LT-1772/59].

##### NOTIFICATIONS ISSUED UNDER MOTOR VEHICLES ACT

**Shri Datar:** I beg to lay on the Table, under sub-section (3) of Section 133 of the Motor Vehicles Act, 1939, read with clause (b) of the proclamation dated the 31st July, 1959,

[Sardar Swaran Singh]

the year 1957-58 in substitution of the one laid on the Table on the 8th September, 1959. [See Appendix II, annexure No. 121].

12.03 hrs.

MESSAGE FROM RAJYA SABHA

**Secretary:** Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of rule 125 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to inform the Lok Sabha that the Rajya Sabha, at its sitting held on the 7th December, 1959, passed, in accordance with the provisions of article 368 of the Constitution of India, without any amendment, the Constitution (Eighth Amendment) Bill, 1959, which was passed by the Lok Sabha at its sitting held on the 1st December, 1959."

12.03½ hrs.

COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS

FIFTY-THIRD REPORT

**Sardar Hukam Singh** (Bhatinda): Sir, I beg to present the Fifty-third Report of the Committee on Private Members' Bills and Resolutions.

—

12.03½ hrs.

MANIPUR LAND REVENUE AND LAND REFORMS BILL\*

**The Minister of Home Affairs** (Shri G. B. Pant): Sir, I beg to move for

leave to introduce a Bill to consolidate and amend the law relating to land revenue in the Union territory of Manipur and to provide for certain measures of land reforms.

**Mr. Speaker:** The question is:

"That leave be granted to introduce a Bill to consolidate and amend the law relating to land revenue in the Union territory of Manipur and to provide for certain measures of land reforms."

*The motion was adopted.*

**Shri G. B. Pant:** Sir, I introduce the Bill.

12.04 hrs.

DOWRY PROHIBITION BILL—contd.

**Mr. Speaker:** Before we take up further clause-by-clause consideration of the Bill to prohibit giving or taking of dowry, as reported by the Joint Committee, I have to inform the House that in a division held on the Dowry Prohibition Bill, 1959 on the 8th December, 1959, there was an error in the announcement of figures of the Division. The House has already taken a decision and this error has absolutely no effect on it. However, I consider that the correct position should be on record. The facts are as follows:—

The House will recollect that before I announced the result of the division on amendment No. 4 by Shri P. R. Patel to clause 3 of the Bill, Pandit Thakur Das Bhargava stated that his vote had not been recorded and that he wanted to vote for the 'Ayes'. Accordingly I added his one vote to the figure for the 'Ayes', thus bringing the total to 40.

\*Published in the Gazette of India Extraordinary Part II—Section 2, dated 9-12-1959.

†Introduced with the recommendation of the President.

Subsequently Shri S. V. Ramaswamy stated that he wrongly pressed the button for 'Ayes' and that his vote should be counted for 'Noes'. His one vote was accordingly added to the figures for the 'Noes', but suitable deduction was not made from the 'Ayes', with the result that I announced the figures for the 'Ayes' as 41 which is incorrect. The correct figures for the 'Ayes', should be 39\*.

Now, so far as the clause-by-clause consideration is concerned, I understand that yesterday the hon. Minister withdrew the amendment that he proposed.

**The Minister of Law (Shri A. K. Sen):** I did not. I only said that the Government would be prepared to withdraw it in case some other alternative would be found more acceptable. I also said that the Government was not committed to the amendment as such, because this is not a Bill in which our minds are firmly fixed on any particular provision.

**Mr. Speaker:** I am really surprised. I cannot go on changing from time to time. The Government must have a view of its own.

**Shri C. D. Pande (Naini Tal):** The Government has no view on this.

**Mr. Speaker:** There is no good changing the motion now after he has moved it. Very well, when I put the motion to vote let him not vote for it. If he wants to withdraw it, let him say so and I will put it to the House. We have been going on extending the time for this by one hour, two hours and so on. I am not going to allow any further discussion on this motion. I will put the amendment moved by Government to the vote of the House.

**Shri A. K. Sen:** Let it be put in the amended form.

**Mr. Speaker:** All right, I will put the Government's amendment as amended to the vote of the House.

**Shri Braj Raj Singh (Firozabad):** What is that amendment?

**Mr. Speaker:** Hon. Members must have been present in this House. I cannot go on repeating it to hon. Members who never cared to be here.

**श्रीमती उमा नेहरू (सीतापुर):** श्रीमान् जी, कल जब हमसे सामने गवर्नरमेट की तरफ से अमेंडमेंट आया, तो हम को ऐसा मालूम हुआ कि गवर्नरमेट ने अपना माइंड मेंक-अप नहीं किया है। मुझे सिर्फ यह कहना है कि गवर्नरमेट को अपना माइंड मेंक-अप करना चाहिए। उस अमेंडमेंट को हम सब ने मन्त्रूर किया और उस को सरोंट किया, लेकिन आखिरी वक्त पर हम को कहा गया कि यह अमेंडमेंट हम विद्वां कर रहे हैं। मैं समझती हूँ कि यह ठंक नहीं है और उसी अमेंडमेंट को पेश होना चाहिए, जैसा कि वह लाये गे।

**Shri A. K. Sen:** We have not withdrawn it. I do not know if the hon. Member was present on the last occasion. What was stated was that the original clause was better than the amendment.

**Shri C. D. Pande:** No.

**Shri A. K. Sen:** It was said by many—not on this side but by some Members from the opposite side.

**Shrimati Uma Nehru:** By some, not all.

**Shri A. K. Sen:** I was saying that some of the Members.....

**Shri C. D. Pande:** They are not the only Members; we are also Members.

**Shri A. K. Sen:** I am not saying that you are not Members. I only said that some of the hon. Members opposite said that the original clause was better than the amendment. Then I said that so far as the Government was concerned it was not committed either to the amendment or to the original clause and it would be happy

[**Shri A. K. Sen**]

if either of them would be accepted. Some discussion followed after that, but I agree with you, Sir, that having moved an amendment we should stick to it. I would like to say that the Government's view is that we should have a vote on the amendment put forward by the Government (*Interruptions*).

**Shri Surendranath Dwivedy (Kendrapara):** Sir, he actually withdrew the amendment. Then the Deputy-Speaker suggested that since we were taking up the same only today he may move a motion for withdrawal today.

**Sardar Hukam Singh (Bhatinda):** On the first day, Sir, we took up the clause-by-clause consideration and discussion started on clause 2 as it was there in the report of the Joint Committee. There were amendments also moved to that. The Government brought an amendment to that clause and substituted a fresh clause for clause 2. Then the hon. Member wanted time to look into that amendment because that was something very different from the original clause. So I took up clause 3 and said that the amendment, the substitute clause, might be circulated to all the Members so that they might have time to study it before we continued discussion on that clause. When we had finished that clause, then we took up the amendments to clause 2 that had been moved earlier to the original clause. I was rather inclined to rule it out because we had the substitute clause and not the original one. But, when all the discussion had taken place, at the last moment, when I was going to put it to the vote of the House, the Law Minister desired that he may be allowed to withdraw that substitute clause and revert to the clause as it originally stood in the report of the Joint Committee. I rather advised him that it would not be proper that he should withdraw it then, and that by today the Government might make up their minds and be clear about it and

decide what they wanted to do. That is why it has come up for consideration today. When the Law Minister desired that he might be allowed to withdraw the amendment and report to the original clause, there was a furore in the House. Many hon. Members rose and said that the clause as it stood in the report of the Joint Committee had already been discussed and asked how the hon. Law Minister could withdraw and so on. So, I advised the Law Minister to consider the matter, and then took up the next business on the agenda. Therefore, it is today that the question has to be taken up. Of course, the hon. Speaker may now take it up.

**Shri C. D. Pande:** In view of the fact that this House gave wide support to the Bill,—

**Shri Braj Raj Singh:** The hon. Member never gave any amendment.

**Shri C. D. Pande:** I may have differed; that is not the point. The House gave wide support to the Bill. The amendment which was there was later on dropped by the Law Minister. If that amendment is not there, the entire Bill becomes very oppressive and it may be difficult to operate it also. Therefore, it will be advisable for the Law Minister to get a decision of the Cabinet. If anything is passed now, unthoughtfully, it might have had repercussions, and so, this question may be taken up in the next session.

**Mr. Speaker:** There is no question of taking it up in the next session. I know that Shri Narayanankutty Menon spoke extensively on this Explanation. The day before yesterday the amendment was not before the house. The hon. Deputy-Speaker rightly adjourned consideration of the clause. By yesterday all the copies had been circulated, and on the basis of the amendment, discussion proceeded. But when the question was being put to the vote of the House, the Law Minister seems to have said

that he would like to withdraw the amendment. But he was given time by the Deputy-Speaker and the question has come up today. The Law Minister has not said that he would withdraw; he would leave it to the vote of the House. Hon. Members on all sides are free to exercise their vote as they like. The Government does not press any particular person. The Law Minister is willing to abide by the decision of the House.

**Pandit Thakur Das Bhargava** (Hissar): No amendment was moved by the Law Minister. But he moved an amendment to the amendment moved by the hon. Deputy Law Minister. First, the hon. Deputy Minister put in an amendment to which the hon. Law Minister moved an amendment. So, we must know what is the amended amendment first.

**Clause 2—** (Definition of "dowry")—contd.

**Mr. Speaker:** I shall now read amendment No. 82 moved by Shri Hajarnavis, the Deputy Minister of Law, to which the hon. Law Minister, Shri A. K. Sen, now desires to move certain amendments. I shall read amendment No. 82 and also the portions which are now sought to be amended.

Page 1, for clause 2, substitute

**2. Definition of "dowry".**—In this Act, "dowry" means any property or valuable security given or agreed to be given—

(a) by one party to a marriage to the other party to the marriage; or

(b) by the parents of either party to a marriage or by any other person, to either party to the marriage or to any other person on behalf of either party;

Now, the Law Minister wants to omit the words "on behalf of either party" from sub-clause (b). The amendment continues as follows:

"at or before or after the marriage as consideration for the betrothal or marriage of the said parties, but

does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies."

Now, the hon. Minister wants to omit the words "betrothal or". The amendment continues as follows:

**"Explanation I.—**for the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, which by custom or usage are made at the time of a marriage by any person to either party to the marriage shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the betrothal or marriage of the said parties."

Now, the Law Minister wants to omit the words "which by custom or usage are made at the time of a marriage by any person to either party to the marriage" and the words "betrothal or" from Explanation I. The amendment ends with the following:

**"Explanation II.—**The expression "valuable security" has the same meaning as in section 30 of the Indian Penal Code."

So, there are four amendments to amendment No. 82. In order to avoid any difficulties or misunderstandings, I will take up these four amendments, one by one, and put them to the vote. After that, the substitute clause, as amended, will be put to the vote.

**Shri Narayananarkutty Menon** (Mukundapuram): Yesterday, when amendments were moved to the clauses, the particular amendment about the omission of "betrothal or" was never discussed by the House.

**Shri A. K. Sen:** It was discussed in extenso.

**Mr. Speaker:** I remember it. I was present here when the question of betrothal and the pros and cons of it were discussed. The matter was discussed, and there is no good saying now that this question was not discussed.

As I said, I will put these amendments one by one to the vote.

*Amendment made:*

That in the amendment moved by Shri R. M. Hajarnavis, printed as No. 82 in List No. 14 of amendments,—

In line 9,—

omit "on behalf of either party" (85).

[*Shri A. K. Sen*].

**Mr. Speaker:** Now, I come to the omission of the words "betrothal or".

**Shrimati Renu Chakravarty (Basirhat):** "Betrothal" is now being cut out?

**Mr. Speaker:** Yes. Hon. Members may vote for or against it with open eyes.

*Amendment made:*

That in the amendment moved by Shri R. M. Hajarnavis, printed as No. 82 in List No. 14 of amendments,—

In line 11,—

omit "betrothal or" (86).

[*Shri A. K. Sen*].

**Mr. Speaker:** I now come to the omission of the words—

"which by custom or usage are made at the time of a marriage by any person to either party to the marriage".

**Shri Sinhasan Singh (Gorakhpur):** Sir, if these words are taken out....

**Mr. Speaker:** No more arguments, please. Hon. Members must make up their minds to vote one way or the other. (*Interruption*).

**Shrimati Renu Chakravarty:** I want to know whether it will be

in order not to put the amendment of Shri P. R. Patel first. It is on the same point. I am afraid we are proceeding in a way that is rather bad. Let us see what could be done about the amendment of Shri P. R. Patel. This is terrible.

**Mr. Speaker:** Many things are terrible. What can be done? Explanation I reads as follows:

"For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, which by custom or usage are made at the time of a marriage by any person to either party to the marriage, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the betrothal or marriage of the said parties."

In this, the following words are omitted:

"which by custom or usage are made at the time of a marriage by any person to either party to the marriage".

and "betrothal or".

*Amendment made:*

That in the amendment moved by Shri R. M. Hajarnavis, printed as No. 82 in List No. 14 of amendments,—

In lines 19 to 21,—

omit "which by custom or usage are made at the time of a marriage by any person to either party to the marriage". (87).

[*Shri A. K. Sen*].

*Amendment made:*

That in the amendment moved by Shri R. M. Hajarnavis, printed as No. 82 in List No. 14 of amendments,—

In line 24,—

omit "betrothal or". (88).

[*Shri A. K. Sen*].

**Shri P. R. Patel** (Mehsana): My amendment No. 3 may be put to the House.

**Mr. Speaker:** It seeks to add one more explanation:

"Page 1, after line 18, add—

*"Explanation II.—If the value of the property or valuable security exceeds two thousand rupees, the court may presume that it was given or agreed to be given as 'dowry'."*

**Shri A. K. Sen:** I have said that I will not accept it.

**Pandit Thakur Das Bhargava:** Many amendments have been moved to this clause—and some are substitute amendments—before this amendment came to the House. What happens to those amendments? They must take precedence over this. There are other amendments of mine which are more important than this one. They should be put to vote, but they will not be put to vote because this is a substitute amendment.

**Mr. Speaker:** Let me dispose of Shri Patel's amendment. There are two explanations in this substitute clause 2; he wants to add one more explanation. There will be consequentially some minor change in amendment No. 3 as originally moved by him. I shall put it in the changed form, bearing No. 89.

**Pandit Thakur Das Bhargava:** This has not even been debated.

**Shri A. K. Sen:** It was debated and I replied to it. I said that the law of evidence should not be tampered with very lightly. If in the course of the working of the Act, there is any difficulty, we will consider it later.

**Mr. Speaker:** The question is:

300 (Ai) LSD—5

That in the amendment moved by Shri R. M. Hajarnavis, printed as No. 82 in List No. 14 of amendments,—

after Explanation II, the following further Explanation be added, namely:—

*"Explanation III.—If the value of the property or valuable security exceeds two thousand rupees, the court may presume that it was given or agreed to be given as "dowry"."* (89).

*The motion was negatived.*

**Shri Jadhav** (Malegaon): My amendment No. 49 may be disposed of.

**Mr. Speaker:** His amendment says:

"Page 1,—

after line 18, add—

*"Explanation II.—Customary presentation of Mangalsutram and clothes to the bride or bridegroom worth one hundred rupees shall not be treated as dowry".* (49).

We have adopted the other amendment. If the hon. Member presses this, even the court would be inclined to say that these customary presents may be excluded. By a definite negative vote, even the Mangalsutram will be taken away. If the House votes against it, it will be limiting it to that extent and the hon. Member will be defeating the purpose he has in view. I leave it to him.

**Shri Jadhav:** I withdraw it.

**Mr. Speaker:** Does the hon. Member have the leave of the House to withdraw his amendment?

**Some Hon. Members:** Yes.

*The amendment was, by leave, withdrawn*

**Mr. Speaker:** After this substitute motion, as amended, is passed any

[Mr. Speaker]

other amendments covered by this would not be brought up. But if there are any amendments inconsistent with this, I will try to put them as amendments to this. Now, I will put this substitute amendment moved by the hon. Deputy Law Minister, as amended by the four amendments accepted by the House just now.

The question is:

Page 1,—

for clause 2, substitute—

*“2. Definition of “dowry”.*—In this Act, “dowry” means any property or valuable security given or agreed to be given—

- (a) by one party to a marriage to the other party to the marriage; or
- (b) by the parents of either party to a marriage or by any other person, to either party to the

#### Division No. 8]

**Abdul Lateef, Shri**  
**Abdul Salam, Shri**  
**Achar, Shri**  
**Agadi, Shri**  
**Alva, Shri Joachim**  
**Aney, Dr. M. S.**  
**Anjanappa, Shri**  
**Arumugam, Shri R. S.**  
**Ayyakkannu, Shri**  
**Balakrishnan, Shri**  
**Banerjee, Shri P. B.**  
**Bangshi Thakur, Shri**  
**Basappa, Shri**  
**Bhakt Darshan, Shri**  
**Bhargava, Pandit M. B.**  
**Bhargava, Pandit Thakur Das**  
**Bhattacharya, Shri C. K.**  
**Bidari, Shri**  
**Bist, Shri J. B. S.**  
**Brahm Prakash, Ch.**  
**Brajeswar Prasad, Shri**  
**Chandak, Shri**  
**Chandramani Kalo, Shri**  
**Chaturvedi, Shri**  
**Choudhry, Shri C. L.**  
**Chuni Lal, Shri**  
**Damani, Shri**

#### AYES

**Das, Shri K. K.**  
**Deb, Shri N. M.**  
**Desai, Shri Morarji**  
**Dubliss, Shri**  
**Eacharan, Shri V.**  
**Gaekwad, Shri Fatesinhrao**  
**Gandhi, Shri M. M.**  
**Ganpati Ram, Shri**  
**Ghosh, Shri M. K.**  
**Gounder, Shri K. Periaswami**  
**Guha, Shri A. C.**  
**Gupta, Shri C. L.**  
**Gupta, Shri Ram Krishan**  
**Harvani, Shri Ansar**  
**Handsa, Shri Subodh**  
**Heda, Shri**  
**Jain, Shri A. P.**  
**Jain, Shri M. C.**  
**Jangde, Shri**  
**Jena, Shri K. C.**  
**Jinachandran, Shri**  
**Jogendra Sen, Shri**  
**Jyotishi, Pandit J. P.**  
**Kasliwal, Shri**  
**Kedaria, Shri C. M.**  
**Khadiwala, Shri**  
**Khan, Shri Osman Ali**

**Khan, Shri Sadath Ali**  
**Khedkar, Dr. G. R.**  
**Khimji, Shri**  
**Kistalya, Shri**  
**Krishna, Shri M. R.**  
**Kureel, Shri B. N.**  
**Laxmi Bai, Shrimati**  
**Mafida Ahmed, Shrimati**  
**Mahadeo Prasad, Shri**  
**Malhotra, Shri Inder J.**  
**Malavyiya, Shri K. D.**  
**Malvia, Shri K. B.**  
**Maniyangadan, Shri**  
**Manjula Devi, Shrimati**  
**Mathur, Shri Harish Chandra**  
**Mehdi, Shri S. A.**  
**Mehta, Shri J. R.**  
**Mehta, Shrimati Krishna**  
**Melkote, Dr.**  
**Menon, Shri Krishna**  
**Mishra, Shri Bibhuti**  
**Mishra, Shri L. N.**  
**Mishra, Shri M. P.**  
**Mishra, Shri S. N.**  
**Misra, Shri B. D.**  
**Misra, Shri R. D.**  
**Misra, Shri R. R.**

*The Lok Sabha divided.*

[12-30 hrs.

marriage or to any other person; at or before or after the marriage as consideration for the marriage of the said parties, but does not include dower or mahr in the case of persons to whom the Muslim Personal Law (Shariat) applies.

*Explanation I.*—For the removal of doubts, it is hereby declared that any presents made at the time of a marriage to either party to the marriage in the form of cash, ornaments, clothes or other articles, shall not be deemed to be dowry within the meaning of this section, unless they are made as consideration for the marriage of the said parties.

*Explanation II.*—The expression “valuable security” has the same meaning as in section 30 of the Indian Penal Code.’ (82).

Mohdoss, Shri Osman  
 Mohindra, Shri  
 Monaria, Shri  
 Mopatir, Gopi G. S.  
 Muthukrishna, Shri  
 Nalgan, Shri Gorisandesh  
 Nahr, Shri C. K.  
 Nahr, Shri Kuttikrishna  
 Naldurgkar, Shri  
 Neelappa, Shri  
 Nirmalchand, Shri  
 Naskar, Shri P. S.  
 Nogi, Shri Net Ram  
 Nehra, Shri Jawaharai  
 Nehra, Shrimati Uma  
 Nived, Shri  
 Oshar Lal, Shri  
 Palichandkurti, Shrimati Ba  
 Pandit, Shri C. D.  
 Pandey, Shri K. N.  
 Paragkar, Shri  
 Parma Lal, Shri  
 Patel, Shri N. N.  
 Patel, Shri P. R.  
 Patel, Shri Rameshwar  
 Patel, Shri S. K.  
 Purnabali Ramrao, Shri C. R.  
 Pilled, Shri Thanes  
 Rajak, Shri  
 Ram Gurib, Shri  
 Ram Saran, Shri  
 Ramaswami Tirtha, Swami  
 Ramaswamy, Shri K. S.  
 Ramaswamy, Shri P.

Ramani, Shri S. N. T.  
 Ramkhan Doa, Shri  
 Ramguru, Shri M.  
 Rao, Shri  
 Ramguru, Shri  
 Rao, Shri Thirumala  
 Reddy, Shri Bali  
 Reddy, Shri R. L.  
 Reddy, Shri Ramakrishna  
 Reddy, Shri Radal  
 Roy, Shri Bishwanath  
 Saha, Shri Bhagabat  
 Saha, Shri Rameshwar  
 Seigal, Sardar A. S.  
 Senguta, Shri S. C.  
 Sankarapandian, Shri  
 Sarbadil, Shri Ajit Singh  
 Satyabhama Devi, Shrimati  
 Selica, Shri  
 Sen, Shri A. K.  
 Shah, Shrimati Jayaben  
 Shakuntala Devi, Shrimati  
 Shankaraiya, Shri  
 Sharma, Shri R. C.  
 Sheoril, Shri Prakash Vir  
 Shivnannappa, Shri  
 Shree Narayan Doa, Shri  
 Siddhananappa, Shri  
 Siddik, Shri  
 Singh, Sardar Hukam  
 Singh, Sardar Jogendra  
 Singh, Sardar Swatan  
 Singh, Shri Babunath  
 Singh, Shri Bahadur

Singh, Shri Bishel  
 Singh, Shri D. P.  
 Singh, Shri Dakit  
 Singh, Shri K. N.  
 Singh, Shri Kalika  
 Singh, Shri M. N.  
 Singh, Shri Rajnath  
 Sisodia, Shri Anirudh  
 Sisodia, Shri Jachan  
 Sisodia, Shri K. P.  
 Sisodia, Shri Satya Narayan  
 Sisodia, Shri Satyendra Narayan  
 Shinde, Shrimati Tarakeshwari  
 Sonotak, Shri Nardes  
 Sonwane, Shri  
 Sora, Shri  
 Subbarayam, Dr. P.  
 Subramanyam, Shri T.  
 Sumer, Prawad, Shri  
 Sunder Lal, Shri  
 Syed Mahomed, Dr.  
 Tahar, Shri Mohamed  
 Tariq, Shri A. M.  
 Thakur, Shri  
 Tiwari, Shri R. S.  
 Tiwary, Pandit D. N.  
 Ulha, Shri  
 Upadhyay, Pandit Monishwar  
 Upadhyaya, Shri Shiva Das  
 Verma, Shri B. B.  
 Vedhanandari, Kumpati M.  
 Venkateswariah, Shri  
 Vyaas, Shri Radhak  
 Wedayar, Shri

## NOES

Banerjee, Shri S. M.  
 Barua, Shri Hem  
 Chakravarty, Shrimati Resu  
 Desai, Shri P. S.  
 Dot, Shri Damodra  
 Dharmatilagam, Shri  
 Elles, Shri Muhammad  
 Ghose, Shri Bimal  
 George, Shri  
 Gupta, Shri Sadan  
 Haldar, Shri  
 Jadhav, Shri  
 Kadiyan, Shri  
 Mehta, Shri

Maitra, Qazi  
 Mehta, Shri Narayan -akut.  
 Mehta, Swarup, Shri  
 Muniakam, Shri N. R.  
 Nathwani, Shri  
 Nayar, Shri V. P.  
 Pandey, Shri Sarju  
 Panigrahi, Shri  
 Parvathi Krishnan, Shrimati  
 Patil, Shri U. L.  
 Pethan, Shri B. C.  
 Pottasam, Shri  
 Rai, Shri Khushwagat

Rao, Shri T. B. Viral  
 Ray, Shrimati Ranu  
 Saboo, Shri S. L.  
 Salimka, Shri Baluchob  
 Sharma, Pandit K. C.  
 Singh, Shri Bal Rai  
 Singhman Singh, Shri  
 Siva Rai, Shri  
 Tangamal, Shri  
 Thakore, Shri M. B.  
 Verma, Shri Ramji  
 Yadav, Shri  
 Yajnik, Shri

Shri Yajnik (Ahmedabad): My vote has not been recorded by the machine, because I find there is no light.

Mr. Speaker: Is he for or against the motion?

Shri Yajnik: Against.

Mr. Speaker: All right, I will add one to the 'Noes'.

Shri U. L. Patil (Dhulia): My vote has also not been recorded. I am against it.

Mr. Speaker: I will add one more to "Noes".

Dr. Syed Mahmud (Gopalganj): I want to vote for Ayes.

Mr. Speaker: All right.

**Shri Joachim Alva** (Kanara): I pressed the button for 'Ayes'. But it did not work. I am for Ayes.

**Mr. Speaker:** All right. He begins to laugh before he explains the position. He has recorded his vote. The difficulty is that he has voted for Ayes, whereas it is recorded as Noes.

**Shri Joachim Alva:** No, Sir. It has not been recorded at all.

**Shri S. M. Banerjee** (Kanpur): If somebody votes for Ayes, it will only be recorded as Ayes by the machine.

**Mr. Speaker:** Now he says it has not been recorded at all.

**The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan):** My vote, which is for Ayes, has not been recorded.

**Shri P. Ramaswamy** (Mahbubnagar-Reserved—Sch. Castes): My vote which is for Ayes, has not been recorded.

**Mr. Speaker:** The final result of the division is as follows:

Ayes 183; Noes 40.

*The motion was adopted.*

**Mr. Speaker:** So, the substitute motion, as amended, is passed.

**Shrimati Renu Chakravarty:** Now, in view of the adoption of this motion, the whole object of the Bill has been nullified. So, as a protest, we withdraw from the House.

12.34 hrs.

(*Shrimati Renu Chakravarty and some other hon. Members then left the House.*)

**Mr. Speaker:** The question is:

"That clause 2, as amended, stand part of the Bill".

*The motion was adopted.*

*Clause 2, as amended, was added to the Bill.*

**Clause 4.—(Penalty for demanding dowry).**

**Pandit Thakur Das Bhargava:** I beg to move:

Page 2,—

for lines 8 and 9 substitute—

"with fine which may amount to five times of the value of such demanded dowry or two thousand rupees whichever sum is higher and shall also be liable to imprisonment for a period of three months." (21).

**Mr. Speaker:** Does the hon. Minister accept amendment No. 21?

**Shri A. K. Sen:** No.

**Mr. Speaker:** The question is: Page 2,—

for lines 8 and 9 substitute—

"with fine which may amount to five times of the value of such demanded dowry or two thousand rupees whichever sum is higher and shall also be liable to imprisonment for a period of three months." (21).

*The motion was negatived.*

**Mr. Speaker:** The question is:

"That clause 4 stand part of the Bill".

*The motion was adopted.*

*Clause 4 was added to the Bill.*

*Clause 5 was added to the Bill.*

**Clause 6.—(Dowry to be for the benefit of the wife or her heirs)**

**Shri Nathwani** (Sorath): I beg to move:

(i) Page 2, line 25,—

for "and also" substitute "or" (43).

(ii) Page 2, line 25,—

after "rupees" insert "or with both" (44).

**Shri Bhakt Darshan** (Garhwal): I beg to move:

(i) Page 2, line 12,—

after "woman" insert "or the man" (29).

(ii) Page 2, line 13,—  
add at the end—  
“or the man, as the case may be” (30).

(iii) Page 2, line 18,—  
after “woman” insert “or the man” (31).

(iv) Page 2, line 19,—  
after “she” insert “or he, as the case may be” (32).

(v) Page 2, line 21,—  
add at the end—  
“or the man” (33).

(vi) Page 2, lines 24 and 25,—  
omit “imprisonment which may extend to six months, and also with” (34).

**श्री भक्त दर्शनः** अध्यक्ष महोदय, इस विधेयक की धारा ६ में मैं ने जो संशोधन प्रस्तावित किए हैं, उनका एक ही उद्देश्य है। इस समय दहेज की प्रथा के अनुसार कन्या की शादी के साथ मैं जो रुपया मिलता है और उसके सम्बन्ध में जो सुविधा दी गई है वही सुविधा उस प्रथा के बारे में भी दी जानी चाहिए जो कि आज भी देश के बहुत से भागों में प्रचलित है ताकि कन्या का शुल्क लेने वाले को जो रुपया मिले वह रुपया भी उनको वापस दे दिया जाए।

कल माननीय विधि मंत्री महोदय ने कहा था कि हमारे देश में बहुत से पिछड़े हुए भाग हैं या बहुत सी जन-जातियां ऐसी हैं जिन में कन्याओं का मूल्य लिया जाता है। मैं उस क्षेत्र का यहां पर प्रतिनिधित्व करता हूं जहां कि यह प्रथा बहुत बड़े पैमाने पर रायज है। हमारे इलाके में और आम तौर पर सब पर्वतीय इलाकों में, राजस्थान में और बहुत से इसी तरह के इलाकों में आज भी कन्या की शादी करने से पहले कन्या के साथ दहेज नहीं दिया जाता है, बल्कि कन्या का मूल्य लिया जाता है। यह अपराध जबन्य तथा

नुष्किक है, और इसकी जितनी कड़ी से निन्दा की जाय उतनी ही कम है।

मैं चाहता हूं कि विधि मंत्री महोदय मेरी बात को जरा ध्यान से सुनें। इस धारा में यह कहा गया है कि डावरी में जो रुपया मिलेगा वह उनको वापिस कर दिया जाएगा। जहां तक मेरे संशोधनों का ताल्लुक है, उनका उद्देश्य केवल मात्र यही है कि अगर लड़की की कीमत का रुपया लड़की का पिता ले लेता है तो उसे भी उसको अनिवार्य रूप से वापिस करना होगा। यह बहुत ही वाजिब सी चीज़ है और मैं समझता हूं कि माननीय मंत्री महोदय इसको स्वीकार कर .....

**एक माननीय सदस्यः** माननीय मंत्री जी आपकी बात को सुन भी नहीं रहे हैं।

**Mr. Speaker:** He is speaking with respect to amendment Nos. 29 to 34.

**Shri A. K. Sen:** That is why I am having a little consultation.

**Mr. Speaker:** The hon. Minister is engaged with the amendments moved by the hon. Member. The hon. Minister is attending actively to the amendments moved by him.

**Shri A. K. Sen:** The hon. Member should not grudge my consulting our officers when I am dealing with the amendments.

**श्री भक्त दर्शनः** माननीय मंत्री जी ने अभी जो बात कही है उससे मैं आशा करता हूं कि वह मेरे संशोधनों को स्वीकार कर लेंगे।

मैं जिस बात पर जोर दे रहा हूं वह यह है कि जहां पर कन्याओं के साथ मैं दहेज लेने की प्रथा का इतना विरोध हमारी बहुत सी महिला सदस्याओं ने किया और इसके बारे में कोई दो रायें नहीं हो सकती हैं, वहां पर उस प्रथा की उत्तरी भर्त्सना और मजहमत नहीं की गई जो कि हमारे देश के बहुत से भागों में प्रचलित है। मैं इस तरह के कई किस्से आपको बतला सकता हूं। यहां पर भाषणकर्त्रियों ने स्वर्णलताओं और स्वर्णकुमारियों के बारे में कहा कि उन्होंने आत्महत्यायें की हैं, लेकिन बहुत से ‘स्वर्णकुमार

## [बी अक्षत शर्मा]

ही जिन को अपने विवाह के लिए कर्वे लेना पड़ा और उस कर्वे को चुकाने में ही उनका सारा बीचन बीत गया । इस बास्ते में कहाना चाहता हूँ कि यदि<sup>४</sup> माननीय विधि मंत्री महोदय भेरे उद्देश्य से सहमत हैं तो जो सुविधा इस समय लड़कियों की शारीरी के लिए बहुज के रूप में ही जा रही है, वही अगर लड़की की कीमत की बसूली में ही जाए और वह उनके वापिस कर दिया जाए तो अच्छा रहेगा अतः उनको इन संशोधनों को स्वीकार करने में कोई दिक्षित नहीं होनी चाहिए ।

**वंदित डाकुर बास भार्या:** अध्यक्ष महोदय, यह जो संशोधन भेरे दोस्त ने पेश किया है भेरी नाकिस राय में यह दस्ता ६ के अन्दर भी आता है कि कोई रकम जो कल्पा की बिक्की के बास्ते शुल्क के तौर पर दी जाती है वह बाबरी की तारीफ में भा जाती है । दस्ता ६ में यह कहा गया है कि कोई भी डाकरी हो जो किसी बास्त को भी दी जाए, वह अगर लड़की को नहीं भिलती है तो यह लेने वाले का कर्वे है कि वह उसको जरूर वापिस कर दे । अगर लड़कियों की कीमत मां बाप ले लें तो उनका कर्वे है कि एक साल के अन्दर उस भीज करेंगे तो इस बिल की प्राविजंज, हाली होंगी । आज जो यह रकम बसी हुई है, बिहार इत्यादि राजाओं में यह और भी जारी है, शुल्क लेने की, आइ ग्राइस लेने की । यह बिल्कुल नाजारेवाला है । इसलिए मैं समझता हूँ कि अगर आनेवेले मिनिस्टर साहब की राय में वह भीज दस्ता ६ में नहीं आती है, तो इन संशोधनों को अंजूर कर दिया जाना चाहिए और इसमें इनको शामिल करने की कोशिश करनी चाहिए । भेरी नाकिस राय में यह दस्ता ६ के अन्दर भा जाती है और यह गैर-वकृती एवं दोषेत्तर है ।

Shri Nathwani: I hope the hon. Minister is accepting my amendments.

Mr. Speaker: What are his amendments?

Shri Nathwani: My amendments were accepted by the Law Minister in respect of clause 3.

Mr. Speaker: He did not move his amendments.

Shri Nathwani: I have moved my amendments. When clause 6 was taken up, I said, I move my amendments Nos. 43 and 44.

Shri A. K. Sen: We have already accepted them.

Shri Nathwani: That is what I am saying.

Mr. Speaker: That is to clause 3.

Shri A. K. Sen: Let us not go into what I have accepted yesterday.

Shri Nathwani: The same as we have accepted in another previous clause.

Mr. Speaker: There are two sets of amendments. One is moved by Shri Nathwani, numbers 43 and 44 for the penal portion, for "and also" substitute "or", that is about imprisonment and fine, being imprisonment or fine and later on, addition of "or with both", giving ample discretion to the magistrate to impose one or the other or both. That is accepted in relation to clause 3. These are similar to those amendments.

The question is:

Page 2, line 25, for "and also" substitute "or" (43).

Page 2, line 25 after "rupees" insert "or with both" (44).

The motion was adopted.

Mr. Speaker: Then, amendments numbers 29 to 34. The purport of these amendments moved by Shri Bhakt Darshan is this. The clause says that when money is given on behalf of the bride, to whomsoever it may be given, it shall be transferred to the female partner. He wants to add the male partner also.

**Shri Bhakt Darshan:** Before the vote is taken, may I hear the view of the hon. Law Minister?

**Mr. Speaker:** The hon. Minister is against it. He is afraid the whole purpose of this Bill will be defeated.

**Shri Bhakt Darshan:** What is the reason?

**Shri A. K. Sen:** We shall have to enter into a discussion of the whole thing.

**Mr. Speaker:** The whole thing is there. I shall now put amendments numbers 29, 30, 31, 32, 33 and 34 to the vote of the House.

The amendments Nos. 29, 30, 31, 32, 33 and 34 were put and negatived

**Mr. Speaker:** The question is:

"That clause 6, as amended, stand part of the Bill."

The motion was adopted.

Clause 6, as amended, was added to the Bill.

Clause 7.—(Cognizance of offences)

**Shri P. R. Patel:** I beg to move:

Page 3, after line 6, insert—

"7A. Any person convicted under any section of the Act, shall be liable to be dismissed if he or she is a servant of a Government or a local authority and if a person is not such a servant, he or she shall be deemed to have been disqualified to be a member of a local authority, State Legislature or Parliament or any statutory or non-statutory body for life time." (6).

**Shri Sinhasan Singh:** I have just now submitted an amendment and I seek your permission to move it that in clause (b).....

**Mr. Speaker:** He has just now passed on the amendment.

**Shri Sinhasan Singh:** I seek your permission to move it.

**Mr. Speaker:** No, no, unless I show it to the Law Minister.

**Shri Jadhav:** I beg to move:

Page 3.—

omit lines 1 to 3. (53).

**Pandit Thakur Das Bhargava:** I beg to move:

Page 3, line 3, add at the end—

"by an aggrieved person or social organisation recognised by the Government for the purpose". (71).

**Shri Bhakt Darshan:** I beg to move:

Page 3, line 2, for "on a complaint made" substitute—

"On information received from a responsible person". (37).

**Shri Nathwani:** I beg to move:

Page 3, for lines 1 to 3, substitute—

"(b) the Presidency Magistrate or a Magistrate of the First Class may take cognizance of any such offence—

(i) upon receiving a complaint of facts which constitute an offence;

(ii) upon a report in writing of such facts made by a police officer not below the rank of a deputy superintendent of police;

(iii) upon information received from any person other than a police officer or upon his own knowledge on suspicion that such offence has been committed;" (48).

**Mr. Speaker:** These amendments are now before the House.

**श्री सिंहसन सिंह:** अच्युत महोदय, मेरी एमेंडमेंट इस बात में नव्वर ५३ है। चूंकि इसके साथ एमेंडमेंट ५४ जुड़ी हुई है, इस बात से दोनों पर दोलने की इचाजत चाहता हूँ। हम जो यह कानून बना रहे हैं, यह बहुत ज़रूरी है और यह समाज की एक नियमित बन

## [श्री जाधव ]

सकता है। इस कानून को अगर हम अमल में लाना चाहते हैं तो यह जो गुनाह समाज के खिलाफ हो, इसको कागनिजेबल आफेस करार दिया जाना चाहिए। अगर इसको हम कागनिजेबल आफेस करार देते हैं, तो एक साल का जो पीरियड रखा है, इतिलादेने का उसकी जरूरत नहीं रह जाएगी। इसलिए में चाहता हूँ कि सब-क्लाज (बी) जो है इसको ड्राप कर दिया जाए और इसको कागनिजेबल आफेस बना दिया जाए और अगर यह कागनिजेबल आफेस बन जाता है, तो सब-क्लाज (बी) की जरूरत ही नहीं रह जाएगी। इस वास्ते में अर्ज करता हूँ कि माननीय कानून मंत्री इसको मंजूर कर लें।

**Shri P. R. Patel:** Mr. Speaker, I will read out my amendment.

"Any person convicted under any section of the Act, shall be liable to be dismissed if he or she is a servant of a Government or a local authority and if a person is not such a servant, he or she shall be deemed to have been disqualified, to be a member of a local authority, state Legislature or Parliament or any statutory or non-statutory body for life time."

In accepting all these clauses, we say that it is a social evil and it must be stopped anyhow. It has been stated that those who accept or give dowry are anti-social elements. The practice of dowry has come into existence because of the social status of a man. I want to ask one thing. If a man who accepts dowry or gives dowry is convicted, do we think that he should be given or allowed to continue the social status that he has? If the man giving dowry or taking dowry is a government servant and if he is continued as a government servant, I think that he will be setting a bad example and he will be speaking to the whole nation that accepting or giving dowry is nothing wrong, because his service is not

hampered. If such a man happens to be a Member of this august House, if this august House says that this is a social evil, should such a Member continue to be a Member of the House? What I want is that such a man, if he is convicted, he should be disqualified to be a Member of the House or Legislature and he should be disqualified for his whole life time to stand in any election for the office of Member of Parliament or Legislature. I hope the hon. Minister will accept my amendment. If he wants to set an example to society and wants to say to the people that this is a social evil, whoever does it shall have no special status.

**Shri Kalika Singh (Adamgarh):** I wish to oppose the amendments.

**Mr. Speaker:** Let us dispose of the amendments.

12.50 hrs.

[PANDIT THAKUR DAS BHARGAVA in the Chair]

**श्री सिंहासन सिंह:** सभापति स्थोर्य, मैं आप की आज्ञा से दफा ७ के क्लाज 'ब' में दो शब्द जोड़ना चहता हूँ। 'फैस्लेट मेड' के बाद यह शब्द जोड़ दिया

**Shri A. K. Sen:** On a point of order. This amendment has not been admitted by the Speaker.

**Shri Sinhasan Singh:** He has allowed me to speak.

**Mr. Chairman:** The rule is that if an amendment is given on the very day on which we are discussing the matter, unless the Government is agreeable to it, it is not allowed. The Government is not accepting this and I am sorry it has to be disallowed.

**Shri Sinhasan Singh:** The Speaker asked me to move it. So, I am moving it.

**Mr. Chairman:** No question of it. Unless the Government agrees, I

cannot waive notice, because it has been given today.

**Shri Sinhasan Singh:** The Speaker allowed me. I may be allowed to speak.

**Shri A. K. Sen:** The hon. Speaker asked me if I was going to accept the amendment, and the officer came and told me that if only I accepted the amendment, the hon. Speaker was going to admit it. I told him that I was not going to accept the amendment.

**Mr. Chairman:** Therefore I have held that as the Government is not going to accept the amendment, I cannot waive notice of the amendment. Therefore the amendment is disallowed. It cannot be allowed to be moved.

**Shri Sinhasan Singh:** I do not know what passed between the hon. Minister and....

**Mr. Chairman:** No question of anything passing. The rule is that if an amendment is tabled the same day, unless the Government is agreeable to accept it, it is not allowed to be moved.

**Shri Sinhasan Singh:** I moved it because the hon. Speaker asked me to speak. So, I thought.....

**Mr. Chairman:** A person may be allowed to speak on the Bill and on the clause also, but so far as the amendment is concerned, he is not allowed.

**Shri Sinhasan Singh:** He should have said so. Anyway, your ruling is there binding on me and I accept it.

मैं अपना संशोधन नहीं मूव करना चाहता लेकिन पटेल साहब का जो अमेंडमेंट है उस के आधार पर कहना चाहता हूँ कि अगर आप इस विवेयक को किसी भी प्रकार सक्रिय बनाना चाहते हैं तो सही तौर पर और ईमान्दारी के साथ बनावें। मैं ने नोट आफ डिसेंट में भी कहा है कि जब हिन्दू

कोड़ पास हुआ तो उस के अन्दर दो विवाह मना किये गये लेकिन उस का कोई बहुत व्यापक परिणम शायद न भी हुआ हो पर चूंकि सरकार ने यह कह दिया कि अगर कोई सरकारी अधिकारी एक पत्नी के रहते हुए दूसरा विवाह करेंगा या पत्नी को मारे पीटेगा तो वह सर्विस से निकाला दिया जायेगा, इस लिये उस सीमा तक तो इस का परिणाम अच्छा ही हुआ। भले ही आज ही मुकदमे न चलें, लेकिन इस तरह के विवाह नहीं हो रहे हैं। वैसे ही जैसा कि पटेल साहब ने कहा है कोई क्लाज इस तरह का होना चाहिये कि अगर कोई आदमी किसी भी तरह से दहेज के लिये कहे या मांगे तो वह सरकारी नौकरी में नहीं रहेगा, वह उस से वंचित कर दिया दिया जायेगा। अगर इस तरह का आदमी कोई एम० एल० ए० या एम० पी० हो तो उसे डिस्क्वालिफाई कर दिया जायेगा, तो उस की समझ में भी यह बात आ सकती है। आप जानते हैं कि जैसे आदमी की पोजीशन बढ़ती है वैसे वैसे तिलक का रेट भी बढ़ जाता है। अगर कोई सरकारी नौकरी में आ गया तो धीरे धीरे उस का रेट भी बढ़ने लगता है। अगर वह किसी सिफाइड जगह के लिये गा गया है तो उस की पोजीशन और बढ़ जाती है। इस लिये अगर आप इस कानून को सक्रिय बनाना चाहते हैं तो आप को पटेल साहब के अमेंडमेंट को मंजूर करना चाहिये जो भी दहेज लेगा उसी पर तो यह प्रतिबन्ध लगता है, अगर नहीं लेगा तो उसे वंचित नहीं किया जायेगा। जो नहीं लेगा उसे कोई डर नहीं है। इसी तरह से जो एम० पी० या एम० एल० ए० लेगा वही डिस्क्वालिफाई होगा, दूसरे नहीं होगे। इस लिये जो यह सुन्नत है उस को रखने से आप इस कानून को कागिनजेबल बनावें या न बनावें, समाज पर उस का अच्छा असर पड़ता है।

दूसरे मेरां यह कहना है कि जाधव साहब ने जो अमेंडमेंट दिया है उस में उन्होंने कहा है कि इस चीज को कागिनजेबल बनाया जाय। मेरा अमेंडमेंट मूव नहीं हो पाया। उस में

[बी लिहाजन लिह]

कहा गया था कि जात्या फौजदारी की दफा १६० के अधीन मैजिस्ट्रेट का अधिकार होगा कि ऐसे अपराधियों को किसी तरह से अपने काबू में ले सकता है। पुलिस की टिपोट पर मेरे सकता है। किसी के इस्तगासे पर ले सकता है, ऐसी कोई सूचना मिले उस पर ले सकता है या फिर स्वतः की जानकारी पर ले सकता है। मेरा यह सुनाव था, और आप भी हैं, कि आप इस को कानिंजेल न बनायें लेकिन अगर मैजिस्ट्रेट स्वतः अपनी जानकारी पर या किसी की सूचना पर ऐसे अपराधी को अपने काबू में ले लें तो इस का नीतजा यह होगा कि वहेज लेने वाले को डर होगा। ६ बों के लिये भी कहा गया है कि कोई कारंबाई मैजिस्ट्रेट नहीं कर सकता जब तक कोई इस्तगासा न करे। इस्तगासा करने के माने यह होते हैं कि वह आदमी कुल जब बरदास्त करने को तैयार हो तभी मुकदमा हो सकता है। इस आदा के लिनाएँ मुकदमा तभी दायर हो पायेगा जब कोई आदमी दुसरनी की बजह से या किसी और बजह से ब्रदास्त में जा कर दावा भी दायर करे, बकील को भी रखें और सारा जब भी दे, अन्यथा इस तरह का मुकदमा कभी दायर नहीं हो सकता है। आज ऐसे समाज सुधार करने वाले अपनिया संगठन बहुत कम हैं जो चन्दा इकट्ठा कर के मुकदमा दायर करें और बकीलों को रखें। अगर आप दफा १०० में इस तरह का अधिकार दे देते हैं तो शायद बहुत से आदमी होंगे कि जो जा कर मैजिस्ट्रेट को यह सूचना दे सकते हैं कि उसां जबह पर डावरी की गई है या डावरी लेने की बात चीत हो रही है। बात चीत करना भी तो आप ने अपराध को वित कर दिया है। अगर वह ही रही है तो सूचना मिलने पर मैजिस्ट्रेट उस आदमी को गवाह के रूप में उत्तर कर के मामले को अपने हाथ में ले सकता है। इस तरह से समाज का सुधार हो सकता है।

दो-मेरा सरकार से और सदूच से अनुरोध है कि अगर बाकी सरकार आहटी है कि

यह विवेयक किसी तरह से समाज सुधार में सहायक हो तो उस को कोई ऐसा रास्ता अपनाना पड़ेगा जिससे इस काम में सहायता मिल सके। यह सहायता तभी मिल सकती है जब कि सरकार के जो अधिकारी या आदमी हैं और जो प्रतिनिधि वर्ग हैं, उन पर कोई रकाबट हो और मैजिस्ट्रेटों को ऐसे मामलों में स्वतः अपनी जानकारी पर या किसी से जानकारी मिलने पर अपने अधिकार का उपयोग करने की स्वतंत्रता हो। कम्प्लेंट भी रहेगी और साथ-साथ में मैजिस्ट्रेट की जानकारी भी रहेगी तो मैं समझता हूँ कि यह कार्य आगे बढ़ सकता है। आपने देखा कि डावरी की डेफिनिशन के बारे में सदन में काफी वाद-विवाद हुआ। लागों के विचार में यह आया कि डावरी की डेफिनिशन उस तरह से रखने से डावरी और बनामी तौर से बड़ेगी क्योंकि शारी के अवसर पर जो प्रेजेन्ट्स दी जायेगी वह डावरी की डेफिनिशन में नहीं आयेगी। इससे और कुछ नहीं होगा, वहेज पर अगड़ा न हो कर प्रेजेन्ट्स के लिये अगड़ा होने लगेगा। लोग कहेंगे कि तिलक में शव्या मत दो, प्रेजेन्ट्स की तरह पर दे दो।

इसलिये मेरा कहना यही है कि अगर आप किसी भी तरह से इस बुराई को रोकना चाहते हैं तो जो संकेतन किया गया है उसको रखना बहुत जरूरी है। आप इस पर विचार करें और ऐसा रास्ता निकालें जिससे सही मामले में वहेज में कोई रकाबट हो। आज हिन्दू कोड विल इसी माने में कामयाब हो रहा है कि सरकारी आदमी उससे उत्तरे हैं क्योंकि उसके लिनाएँ काम करने से संवित से निकाल दिये जाने की आवश्यका है। इस मामले में भी यही चीज समझ में आने की जरूरत है।

Shri C. R. Pattabhi Razam (Kumbakonam): The suggestions contained

in Shri P. R. Patel's amendment make us think seriously with regard to the object of the amendment. There is no difference of opinion at all in the view that dowry is an evil, that any payment in consideration of marriage should be checked, but in our anxiety to do away with the evil, we are likely to throw away the baby with the bath water. It must be remembered that this legislation will affect mainly Hindus, not the other religionists.

Shri Sinhasan Singh: Why?

Shri C. R. Pattabhi Ramam: We have exempted for example in clause 2 dower or *mahr*.

Shri Sinhasan Singh: Dower is a different thing from dowry.

Shri C. R. Pattabhi Ramam: We have said:

"but does not include dower or *mahr* in the case of persons to whom the Muslim Personal Law (*Shariat*) applies."

Shri Sinhasan Singh: That is quite different.

Shri C. R. Pattabhi Ramam: I agree with you that dower or *mahr* is different from dowry. I am very cautious in what I am saying. An observation has been made that the offence must be made cognizable, and secondly I do not know whether the Members are aware of the nature of the present amendment. Let me read it:

"Any person convicted under any section of the Act, shall be liable to be dismissed if he or she is a servant of a Government or a local authority and if a person is not such a servant, he or she shall be deemed to have been disqualified to be a member of a local authority, State Legislature or Parliament or any statutory or non-statutory body for life time."

For life time: We are in great hurry. We do not even read the words in the amendment. For life time—do

you want that to happen? There can be a conspiracy case, you may not be directly a party to the crime yourself, but you may be involved in it, you may be an accused. Are you going to convert most marriages, Hindu marriages in particular, into funeral occasions? People will be very much afraid. Supposing a girl is betrothed and she does not want to marry the betrothed but wants to marry somebody else. The other person may out of spite file a complaint, and any one here may become an accused, and will have to defend himself; and you will have to come out of that morass and out of that mess. Do you want this to happen? Do you want a happy occasion to be marred in this manner? You have taken sufficient steps already to prevent dowry....

Shri Bimal Ghose (Barrackpore): What happens with the penalty clauses in other legislations like the company law?

13 hrs.

Shri C. R. Pattabhi Ramam: That is a case where personal profit is involved, where a person does not care for the society, where a person is punished for the social evils that are involved. That is why he is being punished. That punishment is one thing; but it is quite a different thing to terrorise a family or members of a family on a festive occasion.

My hon. friend says that any complaint may be filed, and he wants to make it a cognizable offence also; further, he wants to disqualify the people concerned for lifetime. Pause over it.

I am very glad that we had some time to think about the explanation I am not saying this simply because it is a Government amendment it has been passed. What happened yesterday? And what has happened today? 38 people today turned it down because they wanted a certain explanation to go, as against 179 in favour. I am willing to grant that out of these

4 [Shri C. R. Pattabhi Raman]

179, a few may have gone over to the other side if it was not a Government amendment. But are we going to rush through this sort of social legislation? There are many more important things waiting on the *tapis* of the House. I am very glad that the measure has come. I am glad also that the explanation has come in. But to try to make it a cognizable offence and disqualify the people concerned for life-time is really going too far.

**Shri C. D. Pande:** Why not hang the father and the mother?

**Shri C. R. Pattabhi Raman:** As I pointed out in the beginning, and I repeat now, we are trying to throw the baby away with the bathwater if we are going to accept this amendment.

**Shri Kalika Singh:** I want to oppose the amendment which seeks to provide for dismissal of government servants and to disqualify others from standing for elections etc.

The purpose of the amendment may be good, but my contention is that this is not the proper place where this sort of provision could be made. For, we have got our own election laws. There are the Municipal Acts, there are the District Board Acts, and then we have the Representation of the People Act and so many other Acts. In all these Acts, there are specific provisions where the grounds for disqualifications have been laid down. There are specific sections which lay down that in the case of offences involving moral turpitude, the persons concerned are debarred for five years or for some such time, but not for lifetime. If those sections are sought to be amended, then this amendment may be moved on that occasion, and this amendment may be considered then. But if such an amendment is going to be made in the Dowry Prohibition Bill, then why not provide for a similar thing in the Indian Penal Code as an explanation to all the sections? The Indian Penal Code is now a very big code, and there are so many offences enumerated therein; and an explanation

like this may be added to all those sections to the effect that any person convicted under those sections for those offences shall be liable to be dismissed if he is a government servant, or be debarred from standing for elections, if he is not a government servant. If that is done, then all these sections would become election laws.

Therefore, I submit that this is not the proper place for suggesting this kind of amendment. Moreover, the purpose of the amendment is not also very laudable. If a government servant is convicted, that itself is a sufficient punishment for him. For, we are only providing for fine or imprisonment here. In the election laws also, where we have enumerated the disqualifications and offences involving moral turpitude, only minor offences have been taken into consideration.

Therefore, I say that this amendment is not suitable, and it should be opposed.

**Shri Braj Raj Singh:** May I just ask one question of the hon. Member who spoke just now?

**Shri Kalika Singh:** I am not going to reply to it.

**Shri Braj Raj Singh:** I am entitled to ask the question with the permission of the Chair.

**Mr. Chairman:** The hon. Member is not disposed to reply to it. Therefore, what is the use of asking a question?

**Shri Khadilkar (Ahmednagar):** I rise to support the amendment moved by my hon. friend Shri P. R. Patel. I thought that it would give retrospective effect, so that those of us who have accepted dowry will also be automatically disqualified.

I am rather surprised that the Law Minister is trying to push ahead with a social legislation of this character

in our society, which is mainly a rural society.

13.05 hrs.

[SHRI C. R. PATTABHI RAMAN *in the Chair.*]

A legislation of this nature is likely to give a greater handle to the local feuds, communal feuds, caste feuds and other feuds and increase the work of litigation and provide more work for the lawyers. That is what the effect of this legislation will be on the rural society, as I see it. Therefore, I feel that Government ought to have been cautious. That is one aspect, namely that they are not cautious about legislating for those who are living in the villages and who form our rural society and caste society.

There is another aspect of this matter, and that is that in our public life, today, we find that those who legislate are immune from any moral standards. The purpose of Shri P. R. Patel's amendment is that that those who legislate this Bill at least should not take any dowry in the case of the marriage of their sons or give any dowry in the case of the marriage of their daughters. Some hon. friends came forward and said that this was bad. Can everyone who is here at least give a clear moral assurance? I am not certain about it. Can any of my hon. friends here give an assurance that while contracting the marriages of their sons and daughters, they will not take any dowry? I am not sure about it. Of course, by some method, by some subterfuge, they may avoid the law and take dowry. I do not think that this type of morality should be allowed where the leadership or where the representatives of the people are immune from the effect of this legislation. They are supposed to legislate for others, who are living their own way of life and who need to be educated. I do not think that in the social sphere, such a hasty legislation should be brought forward.

The main purpose of the legislation must be to educate, and then you can enforce the law. We have seen in our parts, and I may give an experience of my own, as to how the legislation against bigamy works. From the villages the woman goes to a doctor and gets a certificate that she is not capable of bearing any children for the husband, and at that stage, a second marriage is contracted, which is quite legal. Now, is this law? I want to ask you in all seriousness.

Therefore, I would appeal to the House and to the Minister of Law that instead of rushing through this kind of legislation as was desired by my hon. friends who staged a walk-out, the attempt should be to educate the people first. For, if we enforce a legislation of this character which the rural society or the caste society is not in a position to accept and act up to, and allow police interference, it will only give a handle to the rivalries in the villages, and interfere with the marriages. Let me give one instance; in fact, I was discussing it just a little while ago with a friend of mine. Suppose a marriage is contracted between A's daughter and B's son, and by some chance, that marriage does not take place, and that contract is ceased; in such a case, the disappointed party will definitely lodge a complaint and thus give a handle for litigation.

**Shri Narayananarkutty Menon:** All marriages have not got disappointed parties.

**Shri Khadilkar:** My hon. friend is looking at society from a different angle. Let him look at it from the rural angle, from the village angle; then, he will understand all these implications.

Therefore, I would say even now that let not Government stand on prestige; let them not rush with this type of legislation. Instead of strengthening the authority of law, let them strengthen the other parts; let them strengthen the social reforms, by education. I do feel that

[Shri Khadilkar]

that will have some kind of a permanent effect. It is because Government have failed in their attempt to carry out the social reform by education, that they want to absolve themselves of that responsibility by rushing through this legislation. Therefore, I perfectly agree with my hon. friend who has moved this amendment. If you want this Bill, then make it compulsory and give it retrospective effect, if you like, and then pass it.

**Shri Nathwani:** I rise to commend my amendment No. 46. As the Bill stands, the court can take cognizance only on a complaint made....

**Mr. Chairman:** I believe amendment No. 46 has been accepted.....

**Shri Nathwani:** I wish it were so. If the hon. Minister is pleased to accept it, then I shall be happy.

**Mr. Chairman:** I find that amendment No. 46 is not in the paper before me. Anyhow, I shall find out. I am sorry. I have now got the list. He may proceed.

**Shri Nathwani:** The Bill provides that the court can take cognizance of the offence only on a complaint made within one year. My amendment seeks to enlarge the powers of the court to take cognizance of the offence. There are normally three ways in which the court can take cognizance. They are provided in section 190 of the Cr. P. C. I must make it clear that my amendment does not make the offence a cognizable offence.

**Shri A. K. Sen:** More or less, it does.

**Shri Nathwani:** Why more or less? There is a difference. If we were to accept the logic or reasoning of the hon. Minister, then there will be no difference between a cognizable offence and a non-cognizable offence.

My amendment seeks to make the implementation of the provisions of the Act more effective. While speaking on the motion for taking the Bill into consideration, I explained

how in the existing circumstances in our society a man may not come forward and file a complaint and give evidence on oath. He may go to a certain extent. He may be willing to supply information to the Magistrate and the Magistrate may ask the police to investigate the offence and then he can take cognizance of the offence.

**Shri Mulchand Dube (Farrukhabad):** May I ask whether the information given to the Magistrate will not amount to a complaint? 'Complaint' is defined in the Criminal Procedure Code.

**Shri Nathwani:** No. If my hon. and learned friend is interested in knowing the position, he should carefully scan section 190 of the Code. If sub-clause (b) had not been provided here, the ordinary law would have prevailed and section 190 would have come into operation. Under that, the Magistrate or the court can take cognizance in three ways. But we are confining the jurisdiction of the court to only one way, namely, complaint. I am trying to explain that in the present circumstances, there may be a friend, relation, acquaintance or neighbour public-spirited enough to furnish the information to the Magistrate, but he may not like to go, in the first instance, and give evidence in court. As the Bill stands, he must go and file a complaint before action by the Magistrate. He may not like to go to that extent. That is the position today. But if you accept my amendment, then certainly more avenues would be available to the court to take cognizance of the offence.

**Dr. M. S. Aney (Nagpur):** Should the court proceed on its own on the information supplied?

**Shri Nathwani:** When information is sent to the court, the court immediately takes cognizance—that is, under item (c) of sub-section (1) of section 190 of the Criminal Procedure Code—or the court may send for more information from the police. It may ask the police to investigate and on

receiving a report from the police, it can take cognizance.

Therefore, I am saying that instead of restricting the powers of the court, as is done in the Bill, in the stage of society as it exists today, it is advisable to widen the powers of the court to take cognizance. There is only one little change in my amendment and that is based on what Shri Subiman Ghose has said in his Minute of Dissent. Whereas under the ordinary law, the Magistrate can ask any police officer to investigate, my amendment seeks impliedly to restrict the power of investigation to an officer not below the rank of Deputy Superintendent of Police, so that there may not be any harassment and the officer may act with tact and dignity and not, as my learned friend said, mar the mirth or the joy of the occasion, if the police were to investigate at that stage.

This is all I have to submit. If we view the problem from the point of view of more effective implementation of the law, there should be no difficulty in accepting my amendment.

**Shrimati Renuka Ray (Malda):** I rise to support Shri Nathwani's amendment. I am strongly of the opinion—I have said so in my Minute of Dissent—that a Bill like this can hardly be effective unless social conscience itself changes. But it is a good gesture. If it is a good gesture, we should at least make it as practical as possible. If it had been made a cognizable offence, I think that would have been the best thing. But there are many people who feel that if it is made cognizable directly in that fashion, it might be taken advantage of. I agree that there are difficulties, and in my Minute of Dissent I had suggested that no police officer below the rank of Deputy Superintendent of Police shall have power to investigate. Now I think Shri Nathwani's amendment is perhaps the best way out, and I would request the Law Minister, who has

accepted, changed and altered amendments at the last minute, to accept this amendment.

Some hon. Members have said that we do not think about rural India. I would ask them to think of the women in rural India some of whom have even had to commit suicide to save their families. There are women in rural India belonging to that section of Hindu society which has imposed dowry in this fashion. There may be other people also, but there are people who have this type of dowry in rural India as well. It is because of that that the Law Minister and the Government have brought forward this Bill and it is because of that that people have supported it on principle.

I myself feel that if the Bill is at all there, we should at least make it something that can be implemented. We have seen the functioning of the Child Marriage Restraint Act. It was not made cognizable. It is of course true that as social consciousness has changed, gradually the age of marriage is coming up. But the Child Marriage Restraint Act was not effective and even today there is a good deal of violation of the Act going on throughout, both in rural as well as in urban India. If the Dowry Bill is to go through, and if you accept Shri Nathwani's amendment, it will have at least some chance of some kind of success in the implementation of our objectives. It will at least mean that where people are harassed they will be able to go to the Magistrate to explain the position and see that some action is taken. But if it is not conceded, however noble the Bill may seem, it will remain nothing more than a gesture. It is no use deluding ourselves that we are doing something if we are not able really to do it.

We were very keen and very enthusiastic about the Child Marriage Restraint Act, when that Act was passed when we were young. We expected that the age of marriage would

[Shrimati Renuka Ray]

go up very soon and that the Act would be implemented, although it was pointed out even then by those who knew better that the chances of its success, as it had gone through, were not very bright. Today surely we are wiser after the event and being wiser, I would strongly urge that we accept at least one or two of these amendments which will make it a little effective rather than let it remain as a gesture which cannot be implemented.

I would appeal to the Law Minister even at this late moment to consider this amendment and accept it.

**पंडित ठाकुर दास भार्गवः** : जनाब चेयरमैन साहब, इस बिल की दफा ७ पर मैंने एक अमेंडमेंट का नोटिस दिया था. . . .

**Mr. Chairman:** I just now enquired and I find that we have exceeded the time limit for this Bill. But then since the amendments are being taken one after the other I am trying to rush through them. We have got the other Bill coming up.

**The Deputy Minister of Law (Shri Hajarnavis):** Is there any time limit for speeches in moving amendments?

**Shri A. K. Sen:** I thought the ruling was given yesterday that only those who have moved amendments will speak. You are calling others also who are supporting the amendments, not movers alone.

**Mr. Chairman:** I thought Shrimati Renuka Ray was the only exception.

**Shri Braj Raj Singh:** I wanted to speak.

**An Hon. Member:** I wanted to speak.

**Shri Tyagi (Dehra Dun):** There are many more important problems before the nation than dowry. I would, therefore, suggest that we finish it early.

**Shri Kalika Singh:** I think dowry is more important.

**पंडित ठाकुर दास भार्गवः** : जनाब चेयरमैन साहब, मैंने एक ७१ नम्बर के अमेंडमेंट का नोटिस दिया था। मैं इस मौके पर उसके बारे में बोलना चाहता हूँ। यह देखने के बास्ते कि इस बिल को कैसे एम्प्लीमेंट किया जाय, कैसे एफेक्टिव किया जाय और कौन जाकर कोर्ट को मूव करे, यह निहायत जल्दी सवाल है। चुनाव हमारे आनंदेबुल डिप्टी ला मिनिस्टर साहब ने जो तकरीर की और उन्होंने फरमाया कि कम्प्लेंट की सूरत में अगर कम्प्लेंट कोर्ट में जायेगी तो कोर्ट को फिर अखत्यार है कि वह जेर दफा २०२ उस शिकायत को पुलिस के पास भेज दे और पुलिस से तहकीकात करा ले। इस बास्ते इसको कौगनेजेबुल करने की जल्दत नहीं है, यह उन्होंने फरमाया था और मैं उसकी ताईद करता हूँ। दरअसल श्रव जो आपने अखत्यार दिया है दफा ७ में वह यह है कि कोई भी शख्स कम्प्लेंट कर सकता है और वह कम्प्लेंट जो मेरे लायक दोस्त श्री नथवानी ने बहस की है तो १६० (सी) में मजिस्ट्रेट को जाकर चुपचाप कोई शख्स कह दे उससे यह बहुत अच्छी और ज्यादा बेहतर है। जो शख्स हिम्मत नहीं रखता कि जाकर कोर्ट में कम्प्लेंट करे और औथ पर स्टेटमेंट दे तो उसकी एनीमीस रिपोर्ट मजिस्ट्रेट के कान में आये तो उसके ऊपर एक्शन लेना शुल्क कर दे तो यह मजिस्ट्रेट के बास्ते भी खराबी है और उस शख्स के बास्ते भी खराबी है और साथ ही दफा १६१ में मजिस्ट्रेट को चाहिये कि उसको भेज दे किसी और मजिस्ट्रेट के पास। जेर दफा १६१ की रु से वह खुद उसमें कार्यवाही नहीं कर सकता। इस बास्ते मैं अदब से अर्ज करूँगा कि यह जो मौजूदा चीज है कि कम्प्लेंट का हर एक आदमी को हक है यह किसी कदर उससे बेटर है जो दफा १६० (सी) के अन्दर है। ताहम

मेरा जो अमेंडमेंट है वह बिलकुल मुख्तलिफ है और मैंने यह चाहा है कि जहां तक किसी शास्त्र के कम्प्लेट करने का साकाल है तो अबकी ऐसी इजाजत देने से हर एक शास्त्र को हैरेसमेंट बहुत बढ़ जायेगा। चूनावे मैंने इस वसूल को माना हुआ है, अब किमिनल प्रोतीज्योर कोड में जेर दफा १६८, १६९ और १६५ वारैरह के मातहुत बहुत से जरायम जो कि बड़े संगीन हैं और यहां तक कि कोर्टी और कूट वारैरह बोलने के लिये कानून ने प्रतिबन्ध लगाया हुआ है.....

Mr. Chairman: He is really opposing the amendment now.

Pandit Thakur Das Bhargava: I am supporting mine.

Mr. Chairman: He is also opposing the amendment moved by Shri Nathwani. I would request you to be as brief as possible.

**वंचित ठाकुर बास भार्गव :** मैं यह अब जं कर रहा था कि जैसे कि दफा १६८ के अन्दर एक प्रतिबन्ध लगा रखा है कि एप्रील पार्टी और खसूलन मैरिज के जरायम में, उसके बास्ते आम तौर पर ४६३ से ४६८ तक हमने अब भी यह किया हुआ है कि सिर्फ एप्रील पार्टी ही कोर्ट में आ सकती है ताकि यह न हो कि जनरल हैरेसमेंट लोग करना शुरू कर दें और जो दूसरे शास्त्र जिन के मैलिस के अगराज हैं वे जाकर अगड़ा शुरू कर दें तो यह बाईं ऐन एप्रील पर्सन, मेरे अमेंडमेंट का पहला हिस्सा है। अपने अमेंडमेंट के दूसरे हिस्से में सोशल आर्गेनाइजेशन "क्रगनाइजड बाईं" ने गवर्नेंट की बात मैंने रखती है और वह इसलिए कि मैंने यह देखा है कि इस जरायम के अन्दर एप्रील पार्टी बहुत कम कोर्ट में आना पसन्द करती और इसको बेलते हुए मैंने यह तजवीज की है कि ऐसी सोशल आर्गेनाइजेशन जो कि रेक्गनाइजड बाईं ही गवर्नेंट हों और जिनकी कि अपनी कोई आती गरज न हो उनको अधिकार दिया जाय कि वे भी

ऐसे केसेज के बारे में शिकायत कर सकें और अगर वह भी कम्प्लेट कर सकती तो इबर तो हम ऐसे आदमियों को जो कि अगराज रखते हैं हैरेस करने से रोकते हैं, बंद करते हैं और दूसरी तरफ हम ऐसी सोशल आर्गेनाइजेशन जो कि गवर्नेंट से रेक्गनाइजड हों उनको कोर्ट में ऐसी एप्रील पार्टीज के बिहाफ पर शिकायत करने का अधिकार देते हैं। ऐसी सूरत में जनाव को मालूम है कि ४४५ दफा मौजूद है जिसके अन्दर उन कम्प्लेंट्स में सोशल आर्गेनाइजेशन को सरकार खबर दिला सकती है अगर कोई उसका फाईन वसूल हो। इस तरीके से हम एक ऐसी तरकीब सुझा रहे हैं जिस में कोर्ट में ऐसे प्रोपर केसेज आदें जिनके की अन्दर किसी शास्त्र को सजा होनी चाहिए। इस बास्ते में आनरेबुल ला मिनिस्टर साहब की खिदमत में अर्जन कर्त्ता कि यह अमेंडमेंट मंजूर करमायें क्योंकि यह सारी जितनी क्रबाहतें हैं उनको दूर करके एक रास्ता देता है। इसके अन्दर गवर्नेंट को खुद अधिकार है कि ऐसी आर्गेनाइजेशन कायम भी करें और ऐसी आर्गेनाइजेशन को अधिकार भी दें और ऐसा करने से मुझे यकीन है कि यह बहुत एक्टिव बन जायगा। बाकी जो तरमीम हैं वे सब की सब लचर हैं। उनके अन्दर कोई तुक्स पाया जाता है। यह एक तरकीब है और तरमीम हैं जिसकी कि बजह से हम यह यकीन के साथ कह सकते हैं कि यह डाउरी बिल एक्टिव भी एम्लीमेंट हो सकता है।

Mr. Chairman: I will now put the amendments to vote.

Shri A. K. Sen: Sir, I have not indicated my views yet on behalf of Government. It is my duty to indicate at least my views on the amendment. I shall take only a couple of minutes to say why Government find it difficult to accept the proposed amendments.

[Shri A. K. Sen]

With regard to Shri Patel's amendment, it reminds me of the attitude of the law-makers in the medieval ages and also of the 17th and 18th centuries when they thought that crime can best be met by making the law rigorous so that if the punishment is very extreme it is the best deterrent against crime. But that theory of punishment is so outmoded that it is too late for us to accept it.

**Shri Tyagi:** He wants to bring marriage into the public sector.

**Shri A. K. Sen:** We might as well say that a dowry-taker would be sentenced to death. It is only one degree more than the proposal.

**Shri P. R. Patel:** I do not say that. My amendment is only with regard to the law-makers, the Members of this House and the government servants who also have some hand in law-making along with us. They can implement the law we pass.

**Shri Tyagi:** Law-makers are Members of Parliament.

**Shri A. K. Sen:** I do not think that the rigour of the punishment is going to achieve what we desire. It is for the House to judge whether the rigour of it is justified by the magnitude of the evil we are going to eradicate or whether there are no other alternatives by which we can tackle the evil. As I said, the remedy is a wide social conscience and no amount of punishment can eradicate an evil unless social conscience revolts against it every time and on every occasion. It is no use repeating that. None of us claim, neither those of us who support this Bill nor those who are sceptical about the results of this Bill, none of us can claim that the law alone will eradicate the evil.

I made it perfectly clear over and over again that no social evil of this nature can be eradicated by law alone or by punishment alone. Let

us be clear about it, because there are so many difficulties that confront us inherent in the system, in the very society in which we live which make it possible for dowries to be given and taken. It is that system which has to be tackled rather than individual delinquents. The problem is a system and not individuals who are either participants or victims of that system. That is the whole problem.

To my mind the most effective purpose of this Bill is the declaration of the conscience of the people as expressed through this House. That is the greatest purpose which you can serve. I do not claim—none of us can claim—that just by-passing this law we are going to completely eradicate dowry. We are not; I am perfectly sure we are not.

**An Hon. Member:** Unless you try to implement it.

**Shrimati Jayaben Shah (Girnar):** Then why make such a vague law that people will laugh at us?

**Shri A. K. Sen:** I do not think it is vague law; it is law which it is difficult to implement. I felt it my duty to point out what the difficulties are. I invite the hon. Member to devise a better law which I shall certainly accept if she can assure us that it can be implemented by the very letters which are in the law itself.

**Shri Tangamani (Madurai):** The Joint Committee recommendations are there.

**Shri A. K. Sen:** Shri Tangamani probably feels that the Joint Committee recommendations are going to eradicate dowry. I have my grave doubts. Neither the Joint Committee nor anybody else can do this. Therefore, I shall welcome any law which assures the House that by its very letters it will eradicate this evil. I shall be very happy to see such a law

drafted. I do not think that by increasing the punishment we tackle the problem. Nor would making it easier to approach the court of law and set the courts in motion help the matter. We must not forget in this country there are people who file false complaints in courts just for harassment. It is an evil which is possibly as widespread as the evil of dowry.

**Shri Braj Raj Singh:** But they did not subsist.

**Shri A. K. Sen:** I hope they did not. It is the aim of law to see that they did not, to see that those who lodge false complaints are punished.

**Shri Jadhav:** What is the percentage of such false complaints?

**Shri A. K. Sen:** Nobody has taken statistics. The hon. Member will perhaps help us. But unfortunately it is a fact that just out of grudge people go and try to harass their enemies. As Shri Khadilkar has said there are cast feuds, personal feuds, village feuds and all sorts of feuds. Let us not be blind to facts. Therefore, if a person feels that a man is really guilty of the offence and is bold enough to assert the social conscience and also his individual conscience, I do not see any reason why he should not go to a magistrate and say what has happened. He will be examined by the magistrate.

**Shri Nathwani:** In open court?

**Shri A. K. Sen:** Why not? He will do it when he comes to the court; it will be an open court.

**Shri Nathwani:** Do you think that our social conscience has reached that stage where any member will go to the court?

**Shri A. K. Sen:** We should encourage that. Anonymous complaints or secret complaints by persons who are not bold enough to come to an open court are not to be encouraged . . . (Interruptions.)

**Shrimati Jayaben Shah:** Can anybody say that one would go to the open court and say these things? . . . (Interruptions.)

**Mr. Chairman:** Order, order. The hon. Law Minister wants to impress that if a man is accused, he has to come out of that accusation. He wants you to see the other side also.

**Shri A. K. Sen:** If people are not so in this country, well, I am very sorry to hear that. In no country are people afraid to go to an open court, far less in a democratic country.

**Shri Braj Raj Singh:** Unfortunately in our country it is a fact.

**Shri A. K. Sen:** If that is so, we shall not, as law-makers, encourage that tendency which encourages a man not to go to an open court but to lay the complaints secretly. That is a situation which we, as law-makers, are not going to cover. We shall certainly need an attitude which takes a man voluntarily to a court to lay a complaint when he thinks that a crime is committed against the society.

**Shri Tyagi:** What about blackmailers?

**Shri A. K. Sen:** There is law for that. Blackmailing is an offence. Therefore, I am afraid we cannot accept any amendments.

**Mr. Chairman:** Are the hon. Members pressing their amendments?

**Shri Bhakt Darshan:** I am not pressing my amendment No. 37.

**Mr. Chairman:** Has the hon. Member leave of the House to withdraw his amendment No. 37?

The amendment No. 37 was, by leave, withdrawn.

**Mr. Chairman:** I shall put the other amendments—Nos. 6, 53, 46 and 71 to the vote of the House.

**Shri Tyagi:** They cannot be put together. How can they all be together as one is contradictory to the other?

**Mr. Chairman:** I shall put the remaining amendments to the vote of the House.

The amendments Nos. 6, 53, 46 and 71 were put and negatived.

**Mr. Chairman:** The question is:

"That Clause 7 stand part of the Bill".

The motion was adopted.

Clause 7 was added to the Bill.

**Clause 8.** —(Offences to be non-cognizable, bailable and non-compoundable)

**Mr. Chairman:** Now we shall take up clause 8. There are six amendments: Nos. 10, 38, 55, 77, 81 and 54.

**Shri Jadhav:** I am moving my amendment No. 54.

**Mr. Chairman:** There are other amendments: Nos. 10, etc.

**Shri A. K. Sen:** Let those who want to move, move their amendments.

**श्री जाधव :** I beg to move::

Page 3, line 7,—

for "non-cognizable, bailable" substitute cognisable, non-bailable". (54).

मेरा अवेंडमेंट यह है कि यह आफेस कागनिजेबिल और नान-बेल दोना चाहिए क्योंकि मैं समझता हूँ कि अगर कोई आदमी जाकर किसी का खून करता है तो उस से भी ज्यादा खतरनाक यह नाह समाज के लिये है कि जो आदमी डाउरी मांगता है वह उस खूनी से भी समाज के लिए ज्यादा खतरनाक है। यह मैं इसलिए

कह रहा हूँ कि दक्षिण में एक देसा बाक्षया हुआ था, जो कि मैंने यहां भी बदलाया था, कि एक कृत्ये के सात आदमियों ने इसलिए सुदृढ़ी कर ली कि वे अपने जर की एक लड़की का विवाह नहीं कर सके थे।

**श्री त्यागी:** बेबूक है।

**श्री जाधव :** यह डाउरी का मांगना ऐसा गुनाह है जिसके कारण लड़कियों को सुदृढ़ी कर लेनी पड़ती है। यह समाज के लिए कलंक की बात है।

13.38 hrs.

[MR. DEPUTY-SPEAKER in the Chair]

मैं तो यह कहना चाहता हूँ कि यह डाउरी की प्रथा कुछ मध्यम वर्ग के लोगों ने और समाज के कहे जाने वाले उकेदारों ने चलायी है और अब देहात के लोग भी आहिस्ता आहिस्ता इसकी कापी कर रहे हैं। इसलिए मैं कहना चाहता हूँ कि यह गुनाह समाज के लिलाक है और बहुत खतरनाक है। इसलिए इसको कागनिजेबिल करार दिया जाना चाहिए। जब यह कागनिजेबिल होगा और जब आदमी को अदालत के सामने प्राना होगा और उसको बेल भी नहीं मिलेगी तभी इस कानून का कुछ असर होने वाला है। इसलिए मैं यह कहना चाहता हूँ कि इस आफेस को कागनिजेबिल होना चाहिए और नान-बेल भी होना चाहिए।

**श्री डाउरा लिह:** उपाध्यक्ष महोदय, इस बिल पर सरकार ने जितना अपना दृष्टिकोण बदला है उतना किसी दूसरे कानून पर नहीं बदला होगा। सिलेक्ट कमेटी में हमने "सा कि सरकार कुछ बातों को मानने के लिए तयार थी, पर उसके बाद जब यह बिल सदन में आया तो एक दिन के बाद दूसरे दिन सरकार अपना दृष्टिकोण बदलती चली गयी।

## [बी भवरप चिह्न]

जहाँ तक क्लाइ द का सवाल है, सरकार इस आकेंस को कागनिजेबिल इसलिए नहीं बनाना चाहती कि पुलिस इसका अच्छी तरह से इम्प्लीमेंटेशन नहीं कर सकेगी । यह दलील दी जाती है कि कूकि पुलिस को अप्ट है, इसलिए अगर इसको कागनिजेबिल बना दिया गया तो वह लोगों को नाजायज तरीके से तंग करेगी और इसको कागनिजेबिल नहीं बनाया जाता है । अगर यही दलील है तो यह सरकार की असकलता को प्रमाणित करती है । यह कहना कि सरकार के रहते हुए भी उसके नीचे के अफसर अप्ट हैं और वह इसको अच्छी तरह इम्प्लीमेंट नहीं कर सकते, यह दलील कभी भी मान्य नहीं होनी चाहिए ।

कहा जाता है कि जो सब इंस्पेक्टर आदि अफसर हैं वह भ्रष्टाचार करेंगे और लोगों को परेशान करेंगे, इसलिए इसको कागनिजेबिल नहीं बनाना चाहिए, इसके लिए भी एक तरीका निकल सकता है और वह तरीका में भिन्न श्री सुविधन धोष ने सिलेक्ट कमेटी में और सदन में भी बताया था । अगर आप समझते हैं कि छोटे पुलिस अफसर जनता को परेशान कर सकते हैं तो इस काम को दिट्टी सुपरिटेंडेंट पुलिस के द्वारा कराया जा सकता है या उस से भी ऊंचे पुलिस अफसर को यह काम दिया जा सकता है । लेकिन जब तक स कानून को तोड़ने वाले के खिलाफ सरकार की तरफ से मुकद्दमा नहीं चलाया जाएगा तब तक कोई भी आदमी अदालत में जाने के लिए तैयार नहीं होगा । आखिर अगर ऐसा नहीं किया गया तो जो कानून आप बनाने जा रहे हैं इसका नतीजा क्या होगा ? अगर आप इस कानून में यहीं चीज रखते हैं कि जो लोग प्रभावित होते हैं वही मामला चला सकते हैं तो इसका परिणाम कुछ नहीं होगा क्योंकि लड़की का वाप, जिसने अपनी लड़की की शादी की है वह तो अदालत में जाएगा नहीं क्योंकि अगर वह अदालत में जाएगा तो उसकी लड़की की जिन्दगी खराब

हो जाएगी । तो इस कानून का कोई नतीजा नहीं होगा । और कौन दूसरा आदमी ऐसा होगा जो इस काम के लिए अपना समय और पैसा बरबाद करेगा और मामला चलाएगा ? सोशल आरयेनाइजेशन्स को भी अगर कोई बदल सरकार की ओर से नहीं मिलेगी तो वह भी कैसे काम करेंगे ? इसलिये मैं निवेदन करना चाहता हूँ कि इसको कागनिजेबिल आकेंस बनाया जाये । अगर पुलिस के नीचे के अफसर इसको अच्छी तरह इम्प्लीमेंट नहीं कर सकते तो यह काम ऊंचे अफसरों को दिया जाना चाहिये । अगर ऐसा नहीं होगा और यह डाउरी प्रोहितिशन करने वाला कानून नहीं बल्कि डाउरी को बढ़ावा देने वाला कानून हो जाएगा ।

ला मिनिस्टर साहब ने बार-बार कहा है और खाड़िलकर साहब ने भी कहा है कि गांवों में जातिगत और व्यक्तिगत द्वेष होते हैं । अगर इसको कागनिजेबिल किया गया या दूसरे आदमियों को इस मामले को चलाने की छुट दी गई तो ये द्वेष बढ़ सकते हैं । कूकि शादियाँ एक ही जाति में होती हैं इसलिये जातिगत या व्यक्तिगत द्वेष को इससे बढ़ावा नहीं मिल सकता । इसलिये मेरा निवेदन है कि अगर आप इस कानून में कुछ जान डालना चाहते हैं तो इसको कागनिजेबिल बनाया जाना चाहिये । अगर इसको कागनिजेबिल नहीं बनाया जाता तो इसको पास करना और पास न करना एक ही बात होगी ।

Shri Subiman Ghose (Burdwan): I beg to move:

Page 3,—

for clause 8, substitute—

“8. Every offence under this Act shall be cognizable, bailable and compoundable with the permission of the court.” (81).

I want the offence to be made cognizable.

**Mr. Deputy-Speaker:** Amendment No. 81 was not moved when the Chairman asked those hon. Members who wanted to move their amendments to do so.

**An Hon. Member:** He was not present then.

**Shri Subiman Ghose:** I am moving it now. Shri Jadhav has already moved his amendment that it should be made cognizable, I am only adopting it. In this respect, Sir, I fail to appreciate the attempt of the Government. They do not want to make it cognizable but they want to make it non-compoundable. They are insisting on the pound of flesh though it is not made cognizable.

**Mr. Deputy-Speaker:** But they are afraid if it is compoundable other parts of the dowry must be passing.

**Shri Subiman Ghose:** There is one thing that arises and on which I would like to have clarification. If an offence is committed, who is the person who will go to a court, and even if somebody goes to the court who will procure witnesses and who will defray the expenses? The Law Minister said that persons who have got courage of conviction will go to a law court. I, for myself, if I see that my neighbour is going to take Rs. 10,000 for marrying his son and if it is expected of me that I shall go to court with the selfless motive of reforming the society, certainly I am bound to say that I will be compelled not to oblige him. If it is expected of me and the people that they will have courage of conviction to put down the offence why will not the people expect the Law Ministers to set the example? If the Ministers take the initiative, and if when we take stock of the situation on 9th December, 1960 we find that at least 50 or more than 50 cases have come up to the court for putting down the offence, that will instil courage in the minds of the people and they will come forward with the selfless motive of putting down the offence.

**Shri Tyagi:** As if marriage is in the public sector.

**Shri Subiman Ghose:** If it is not in the public sector how are you expecting it from the public?

**Shrimati Ila Palchoudhuri (Nabawip):** It is the change of mind, changing of public conscience.

**Shri Subiman Ghose:** The hon. lady Member says: "change of mind". But law is something different.

**Shri Hajarnavis:** I would like to ask the hon. Member one question. He is a very able lawyer. I want to ask him, if there is not a single person prepared to give evidence, how will it help even if the offence is made cognizable?

**Shri Subiman Ghose:** If it is made cognizable, the police will take evidence under section 161.

**Dr. M. S. Aney:** People will be unwilling to go as witnesses.

**Mr. Deputy-Speaker:** Perhaps the argument is that some punishment at least would have been given by the police.

**Shri C. R. Pattabhi Ramam:** They are willing to wound but afraid to strike. The very persons unwilling to go to court with an open complaint will be resorting to this.

**Shri Subiman Ghose:** The police can lodge the first information. If it is cognizable the police can *suo motu* lodge a complaint without waiting for information from the public.

**Shri Hajarnavis:** I quite agree, but they will have to give evidence. How will they get evidence before the court?

**Shri Subiman Ghose:** They will examine persons under section 161 of the Criminal Procedure Code and record evidence.

**Mr. Deputy-Speaker:** But they will have to examine persons who are prepared to give evidence.

**Shri Tyagi:** Will the courts be enabled to take the statements of wife and husband on oath under this? Will that be permissible if it becomes cognizable? Is it permissible for the court according to law—Sir, you know better—to ask the husband and wife to appear before the court and make a statement?

**Mr. Deputy-Speaker:** Legal questions are not to be put to the Chair.

**Shri Subiman Ghose:** If the State is afraid that it will not get witnesses, how can you expect that the public will get witnesses and bear the expenses from their own pockets? The hon. lady Member was saying that there will be a social change. I know that social change is the least inoffensive thing we can speak of, but that will be a long-drawn affair. If we wait for arousing the social consciousness we shall have to wait for a long time before we can do it, before we can reform the society. Therefore, Sir, I submit that if the Law Minister wants that the law should be effective the offence should be made cognizable.

**श्री भवत शर्मन :** श्रीमन्, जाधव साहब ने जो अमेडमेट रखा है, जिसका कि श्री मुविमन धोव जी ने समर्थन किया है, मैं उसका कड़े से कड़े शब्दों में विरोध करना चाहता हूँ। मैंने एक संशोधन नम्बर ३८ रखा था। मैं अभी तक नहीं समझ पाया हूँ कि जब यह समाज-सुधार का प्रश्न है, तो फिर इसको नान-कम्पाउंडेबल क्यों बनाया जा रहा है। इस सम्बन्ध में धोव साहब ने अपने मिनट आफ डिसेंट में विचार प्रकट किये हैं। मान लोजिये कि किसी ने देहज लिया है और किसी ने उसको कहा कि उसने ग्रलत काम किया है और वह उसको वापस कर दे, तो इसमें क्या आपत्ति है? इसलिये इसको नान-कम्पाउंडेबल क्यों बनाया गया है? अगर मंत्री महोदय इस पर प्रकाश डालें, तो वही रूपा होगी।

**Shri Hajarnavis:** Sir, I have already replied to this aspect of the

Bill, but I might place one more consideration before the House. The police are not being given the powers not because we regard them as inefficient (*Interruption*) nor do we regard them as inherently dishonest, but it is a fundamental tenet of our conviction that as far as possible individual's right of privacy, individual's liberty, individual's right of property should not be in any way invaded except in accordance with law and that the law should make the minimum encroachment on them which is commensurate with advantage to the public. Therefore, the question that arises in this case is, would we gain anything by giving wider powers of enquiry and investigation to the police which will entail invasion of liberty of an individual? The question is, should or should not wider powers be given and would there be any corresponding gain? We have not been told that there would be any corresponding gain. The only thing is the police will get powers, and they may investigate, but the result of investigation would in most cases be infructuous, unless there are persons prepared to give evidence. Therefore, we say this power will not be given as it will fetter individual liberty without any corresponding gain to the State.

The amendments Nos. 54 and 81 were put and negatived.

**Mr. Deputy-Speaker:** That question is:

"That clause 8 stand part of the Bill."

The motion was adopted.

Clause 8 was added to the Bill.

Clauses 9 and 10 were added to the Bill.

Clause 1- (Short title, extent and commencement)

**Shri P. R. Patel:** I beg to move:

Page 1, lines 6 and 7, for "on such date as the Central Govern-

[Shri P. R. Patel]

ment", substitute "in a State on such date as the State Government with the advice of the State Legislature". (1)

**Mr. Deputy-Speaker:** There is no time for any speech now.

**Shri P. R. Patel:** I do not want to make a speech. My amendment may be accepted.

**Mr. Deputy-Speaker:** The question is:

Page 1, lines 6 and 7, for "on such date as the Central Government", substitute "in a State on such date as the State Government with the advice of the State Legislature". (1)

*The motion was negatived.*

**Mr. Deputy-Speaker:** The question is:

"That Clause 1 stand part of the Bill"

*The motion was adopted.*

*Clause 1 was added to the Bill.*

*The Enacting Formula and the Long Title were added to the Bill.*

**Shri Hajarnavis:** I beg to move:

"That the Bill, as amended, be passed".

**Mr. Deputy-Speaker:** The question is:

"That the Bill, as amended, be passed"

*The motion was adopted.*

**An Hon. Member:** The remedy is worse than the disease.

—  
12.53 hrs.

**MINES (AMENDMENT) BILL—**  
contd.

**Mr. Deputy-Speaker:** The House will now take up further consideration of the following motion moved by Shri Nanda on the 8th December, 1959, namely:

"That the Bill further to amend the Mines Act, 1952, be taken into consideration."

The amendments for reference of the Bill to a joint Committee moved by Shrimati Ila Palchoudhuri and Shri Aurobindo Ghosal and for reference of the Bill to a Select Committee moved by Shri S. C. Samanta are also before the House.

**Dr. Melkote (Raichur):** Yesterday, I started saying that the amending Bill to amend the Mines Act has done a service to the country and the miners. Since the passing of the comprehensive Act in 1952, it was noticed that the Act needed further amendments due to some defects. One hon. Member in the House has desired that the Bill be referred to a Select Committee. I have not been able to understand why it should be done, for the simple reason that before bringing forward these amendments to the Act, Government has been considering the various aspects of the question for a long enough period. They have interviewed many of the miners, and in fact, the owners of mines sought an interview with the Government and they placed their views before the Government. Apart from this, a conference on the safety in mines deliberated on these problems for a prolonged period. In that conference, the three parties—the Government, the workers and the representatives of the owners and the management participated and the whole matter had been thrashed out completely. If anything, it comes to this. The Bill, from the workers' point of view, does not go far enough. There are several things which were acceded to in the Safety in Mines Conference but they do not find a place in the Bill here. I felt that this lacuna should be remedied and the Government should even now accept some of those recommendations made by the Conference.

The present amendments are welcome for the simple reason that they try to strengthen the measures for safety, and it is particularly in this industry that the safety of the workers has to be safeguarded completely. This is an industry where, unlike others,

the workers have to work underground, sometimes at great depths, and they have to face all kinds of hazards. Protection of the worker in every type of industry is no doubt necessary, but in this industry, the worker has no way out to get away from places which are unsafe. He is trapped and caught in so suddenly that safety of the miners becomes a thing of paramount importance, and the nation has to safeguard and protect him from all kinds of hazards.

It has been found repeatedly, not once or twice, but over and over again, that the rules and regulations are contravened and whenever such contraventions take place, the owner of the mine tries to throw the blame on somebody else and escapes the punishment. In the first place, contravention of the rules is itself very bad. Secondly, after contravening the rules, from the profits made, he is not willing to part with a little amount for safeguarding the interests of the workers. His money is more important to him than the safety and the life of the workers. Therefore, any such contravention has to be penalised to such an extent that no owner dares to commit such an offence hereafter. From this point of view, the punishment provided here does not go far enough. The punishment should be such that the owner finds it difficult to contravene the rules, and no owner should come forward to run the mines unless he is convinced that he should effect all the changes necessary for safeguarding the interests of the workers.

The benefits of such acts of not acting up to the rules and regulations go to the owner himself. The owner wants to make money. While getting the money, and after it is done, the management or the agent whom he may appoint gets certain sums of money but not all the profits. The latter become the scapegoats. It is in order to overcome some of these defects that the workers in the Safety in Mines Conference pleaded over and over again that stringent measures

should be brought forward. The present Bill is an improvement over the past situation and it is hoped that the owners of the mines will pay every attention to the rules and regulations of the present amending Bill, when it becomes an Act. Let it be hoped that in future these kinds of avoiding of safety measures will become events of the past.

Certain further provisions have been brought forward in this amending measure. One of them is over-time wages. A distinction was tried to be made between the workers working above ground and the workers working below ground. The amendment in this regard has to be welcomed for the simple reason that both these categories of workers will now get double the ordinary wages for over-time work.

Then, formerly, wages for sick leave were not provided for. Some items like this have now been provided for in the present Bill. It is also very good. There is one amendment which is again good from the workers' point of view. That is, first aid is sought to be brought in for the benefit of the workers. The amendment in this regard says that first-aid boxes should be provided where more than 150 persons are employed, instead of 500 persons as at present. That goes to the welfare of the workers. That is welcome. We had pointed out that in large establishments it is not merely first-aid that is necessary but a sufficient number of vans to convey the workers from one place to the other. A provision to that effect has not, however, been included. I still hold the hope that the suggestion for more vans would be accepted by the hon. Minister.

14 hrs.

There is one more amendment giving power to the Chief Inspector to delegate some of the powers, which is being objected to by many people here. It has been found that if the Chief Inspector has to go round and

[Dr. Melkote]

bring to the notice of Government the defects, etc. that have occurred, by the time the Chief Inspector reports to Government, it takes eight or even ten months. So, there is lot of delay and the defects are never remedied. We have pointed out that more inspectors should be employed by Government to see that the regulations are enforced. But even as it is, the delegation of powers to their subordinates is a welcome feature, which to some extent would mitigate this kind of delay.

There is one more amendment here that is in conformity with the ILO recommendation; the amendment which would regulate the employment of women and preventing them from working at night time. This is one of the amendments which the workers also had sought to impress on the Government and they are glad that Government has accepted it.

Speaking in general terms, the amendments which the Government have brought forward in this Bill are much in advance of what is prevalent at present. Though, as I said, it falls short of the expectation of the workers, on behalf of the workers of all groups, I welcome the Bill. I feel that the motion to refer the Bill to a Select Committee should not be accepted by the Government.

**Shri K. N. Pandey (Hata):** Sir, I am very thankful to you for giving me an opportunity to express my views on this subject. Yesterday I heard many Members demanding that the Bill should be referred to a Select Committee. Two major arguments were advanced in favour of that demand. One was, if the Bill is passed as it is, then the interests of the owners may be jeopardised and that might create complications in the working of the mines. The other was that some provision to give training to the workers prior to their employment was not there in the Bill and in order to get it incorporated, the Bill should be referred to a Select Committee.

Every year we hear about minor and major accidents in collieries and other mines. When there is a major accident, the question is brought before the House in some form or other and Members emphatically demand that Government should take immediate steps against those found guilty. In order to minimise those accidents, this Bill was brought in. In our Constitution, it has been provided that along with the public sector, the private sector should also flourish; but it does not mean that the private sector should flourish at the cost of the lives of lakhs of people. What happens now in collieries and other mines is, because suitable steps to create safety measures are not taken, sometimes 30 or 50 men die. Are the lives of these people so easy that they should be left at the mercy of these people? Should not Government take steps to safeguard the interests of the workers?

If the Government does it, in order to delay this matter, some proposal is brought in. I am emphatically opposed to referring the Bill to a Select Committee. Do the Members who have made that proposal think there should be no safety measures in the mines? If they are also in favour of the lives of so many people being protected, then this Bill should be passed as early as possible. Even in an ordinary factory, the rate of over-time paid to the workers is double the normal rate. In the mining areas, the conditions are so difficult and dangerous that nobody can dare to go inside. Recently, in the course of some inquiry, I had a chance to go inside some collieries. It was so suffocating that we can easily imagine the condition of the workers. Taking all these things into consideration, does any Member think that there should be no safety measure? Should not Government take such steps so that the workers may work in a healthy atmosphere and their lives may be saved? What other thing has the Government done by bringing this Bill?

They have brought some amendment here in order to create such a

healthy atmosphere, so that the lives of the people there may be saved. Just because some lacunae had remained there so far, should the private owner be allowed to go still further, so that hundreds of people may die inside the mines? If this is a welfare State, it is the primary duty of the State to look after the safety of the people going inside the mines to work for their livelihood. Had there been a chance for them to work above ground, they would have preferred that, instead of going inside the mines where every time there is the danger that the earth may collapse and they may be crushed.

One amendment has been brought here about women. No civilised society can allow women to go inside the mines and work during night time. In order to avoid that, a clause has been brought here that during nights, women will not be required to work.

**Shri T. B. Vittal Rao (Khammam):** Even during the day they are not allowed to work in the mines.

**Shri K. N. Pandey:** I was referring to working above ground also. I do not think this is against any convention; in fact, it is in line with what has been suggested in the ILO and what is done elsewhere.

About inspectors, Shri Guha said yesterday that sometimes the inspectors being angry with the mine-owners some trouble arose. If they are angry with the mine-owners that is good for us. In case they are happy with the mine-owners then the danger will be that they will go against the interests of the workers. So, it is better that they should be angry with the mine-owners so that they may do their duty, so far as the inspection work is concerned. I, therefore, whole-heartedly support the Bill. I do not feel that there is any necessity to delay the passing of this Bill by referring it to the Select Committee.

But I want to bring to the notice of the hon. Minister one or two defects

which this Bill suffers from. On page 17, it is stated:

"Provided further that any such person who has applied for leave with wages but has not been given such leave in accordance with subsection (6) shall be entitled to carry forward the unavailed leave without any limit."

Because of this proviso, one difficulty has been created. Suppose a worker applies for leave, and it is refused by the employers. The only option has been given to the employee that in case the leave applied for was refused, the same may be accumulated with further leave to be availed of in future also in the same way. May I ask that when leave is refused, how long will the accumulation go on and when will he be able to avail of the leave? So, I have put in an amendment that in case the employer refuses the leave, he should be asked to pay for it, because there is no chance of the employee availing of the leave which is refused, even in future, if the procedure of granting the leave remains the same. He will not get a chance to avail of the whole leave. If the leave is refused, why should the employee not be paid for it, especially when that procedure is prescribed in another contingency? Now, in case an employee is dismissed, or goes away from the mine, he is allowed payment for the period of leave he was entitled to. If payment is allowed there at one place, when the leave is refused at another place why should the man not be paid? Therefore, in order to check this tendency on the part of the employer and in order to give the worker the leave to which he is entitled, I have suggested in my amendment that he should be paid wages in case the leave is refused.

Then, if an accident takes place some enquiry will be made and the report of the enquiry will be referred to the Central Government for proper action. I have suggested an amend-

[Shri K. N. Pandey]

ment in this connection. Now the clause reads:

"If as a result of any inquiry held under sub-section (1) the person appointed to hold it is of opinion that any person possessing a certificate granted under this Act is *prima facie* guilty of incompetence or negligence or misconduct in the performance of his duties under this Act in relation to the accident, he shall hold a further inquiry in order to determine whether or not such person is fit to continue to hold such certificate."

Now we have so many Acts in operation, in addition to the Mining Act. It cannot be said the worker working in a coal mine, or any other mine, is not covered by the Industrial Disputes Act. As it is, if as a result of the inquiry the inspector comes to the conclusion that the man should be dismissed, and the Central Government approves of the report of the inquiry committee, that man is dismissed. Now, it is nowhere stated that the person so dismissed is entitled to seek any remedy under any other Act. Therefore, in order to make it clear, I have suggested an amendment that in case a person is dismissed, with the approval of the Central Government, he should be entitled to avail of other Acts in operation and safeguard himself. Here, I am hinting towards the Industrial Disputes Act. Of course, if it is suggested that the person concerned is still entitled to avail of the provisions of the Industrial Disputes Act under this Bill, then the matter is clear and I shall not press my amendment. But if it is not so and if a person is dismissed after inquiry, then the Industrial Disputes Act will not be helpful to him. Therefore, I propose that he should be entitled to seek remedy under the Industrial Disputes Act also, in case he is dismissed as a result of the inquiry.

That is all what I have got to say. In the end, I whole-heartedly support

the Bill and I oppose the move to refer the Bill to a Select Committee.

Shri L. Achaw Singh (Inner Manipur): This Bill seeks to amend the Mines Act. I am in general agreement with most of the provisions of this Bill. During the working of this Act it has been found that there are some defects and that amendments are necessary in several places. The first Act to regulate the working conditions of the miners was passed in 1901. Then, in the year 1948 the Factories Act was amended and brought up-to-date. Then, it was found necessary in 1952 to bring the Mines Act at par with many of the provisions of the Factories Act.

The Act of 1952 was meant to consolidate the Bill regulating the conditions of work of labour and safety in the mines. That Act was passed in a haphazard manner and it was just rushed through. Because, if we read the proceedings of the Provisional Parliament we find that there has been very little scope for discussion. The proceedings of the debate also bear testimony to that fact. Most of the provisions now proposed are with a view to bring the provisions of the Act at par with the provisions of the Factories Act.

We find from the proceedings that at that time one Member raised a very important point with regard to payment for over-time and leave. But the Mines Act has lagged behind most of the provisions of the Factories Act. From the employment point of view, miners occupy a very important place. They are brought among the fourth groups of industrial workers. In 1953 the number of employees was 3,49,361 and in the year 1956 it was 6,28,561. According to the report of the Chief Inspector of Mines for the year 1956, boring and oil wells were exempted from the operation of this Act. The Labour Investigation Committee, that is, the Rege Committee, have recommended that oil wells should be brought under this Act. They found

that oil wells were given complete exemption from the operation of the Act and there was no strict control regarding the hours of work, health and safety of the miners. The Oil Commission has also recommended the bringing in of the oil field workers under this Act.

So, the amending Bill has introduced a new definition of "mines" wherein the lacuna has been filled and it has been made comprehensive enough to cover all borings, bore holes and oil wells. It also includes quarries, open cast workings, private railways, aerial ropeways etc. Therefore, this is a very welcome measure and a large number of workers will be covered by this Act. Because, we have now opened a large number of oil wells and gas wells and the number of workers has also increased by leaps and bounds. So, this amendment will certainly benefit those workers.

Regarding the employment of women, the Mines Act prohibited the working of women underground. During the last war, the ban was lifted. Then, it was again re-imposed in 1946. But the remarks of the Rege Committee are very disquieting. I would like to quote a passage from that report which runs as follows:

"We would, however, like to mention here that the enforcement of this prohibition had not been completely effective. In the course of our *ad hoc* surveys, it was found that in the mines located in inaccessible areas (e.g. mica mines), women still continue to be employed underground in a clandestine manner, through only in small numbers. Such employment, of course, remains un-reported."

I am also told that sometimes, workers collude with the management for the employment of women and children so that they may augment their family income because the basic wages of our workers in the mines are very low. I suppose this condition still prevails

even now and I submit that more effective steps should be taken in this connection.

I welcome the amendment in clause 14 sub-clause (ii), in which, according to the recommendation of the I.L.O. Convention No. 89, there is a restriction put on the employment of women at night. It is a very important clause and we welcome it.

Regarding safety and welfare measures, some improvements have been proposed. The original Act provides that first-aid boxes and first-aid cupboards should be maintained and first-aid rooms should be maintained in mines employing over 500 workers. The Bill says that these first-aid rooms should be provided for mines employing more than 150 workers. It is a matter of great concern that in most of the small mines, no first-aid arrangements are made, and no arrangements for first-aid and medical treatment are available and even if arrangements are made, they are quite in adequate and unsatisfactory. I submit that there is great scope for improvement, especially with regard to the small mines. Even in the large collieries, there is great scope for improving the situation. It is reported that in England, there are excellent arrangements for first-aid both at the pit top and pit bottom, with additional facilities on the pit top for injured men. They have also got all medical facilities including artificial sun ray and periodical X-ray examinations. In some places, the incidence of silicosis is very high, but the medical equipment is very poor. There is a common complaint among the miners that medical facilities, and first-aid arrangements are not adequate. The Health services are also inadequate. They should be reorganised to cover the special requirements of this very hazardous industry. There is no point in having the best medical equipment and first-aid arrangements in the big collieries. The facilities should be provided in the small collieries also so that the mass of the miners may profit by them. I suggest that strict enforce-

[Shri L. Achaw Singh]

ment of the rules should be aimed at in these matters.

With regard to the proposed section 22 mentioned in clause 11 of this Bill, I would like to submit that this is a very welcome one. There has been objection from some quarters. The Bill, of course, authorises the Inspectors to take action against any owner, agent or manager of a mine for failure to comply with notice for remedying any matter, thing or practice which is dangerous to human life, limb and safety of the workers. I have just now stated that this clause has been very much resented by the owners. I have gone through the U.K. Act. There is a provision there which authorises every Inspector to exercise the powers in an analogous way and there is no provision for appeal.

With regard to the payment of overtime at a uniform rate of wages for persons above ground and underground, the provision is a very welcome one. The provision of leave with wages in accordance with the Factories Act is very welcome. I am sure it will definitely improve the lot of our workers. The mine workers perform a very important duty. They risk their life and their self-interests for the sake of society. Mining is, of course, a very hazardous adventure. We have to concede the maximum possible benefits to these people with regard to leave and overtime wages.

Lastly, I would like to submit that the owners' liability has been enhanced. Because, in mines, violation of the statutory rules and provisions have got their special significance, as the hon. Minister has also pointed out. We have from our wide experience found that most of these provisions and the Mines rules are flouted with impunity. Moreover, the penalty laid down in the original Act for their contravention is not sufficiently deterrent. Contravention of orders under section 22 has been made now punishable with imprisonment and fine. The coal mine-owners have raised a strong objection. They have protested and they have

sent, I am told, a representation to the Government also. The managers have complained that they are being treated just like criminals, out to flout safety laws. We have to consider it from the point of the workers also, their health and safety. Stringent penal measures should be provided for violation of the statutory laws and the rules. It does not mean that we have to give the maximum punishment in the case of any such violation. But, it should have a deterrent effect. The objection of the owners is that they have got no chance for appeal and that the punishment is too harsh. I think it is not tenable because the proposal is for imprisonment and fine. This is not a new thing. In most of our statutes, we have provided both imprisonment and fine when we want the punishment to have a deterrent effect. I have also referred to the U.K. Mines Act. There also, section 155 sub-section 2 provides the same thing.

With these few words, I would like to submit that the Bill is a very progressive one and I would like to support it.

**Shri Achar (Mangalore):** Sir, I welcome this measure. Though at the outset, when I went through the Bill, I felt that it would be better if it goes to a Select Committee, having heard the hon. Minister giving the reasons why he thinks that this Bill must be passed without going to the Select Committee, I came to the conclusion that it is not good to support any motion for reference to a Select Committee.

The reasons why I felt that it should go to a Select Committee was this. I need not go into the details. What I felt was, the amendments to the extent they go to mitigate the evil that is caused to the labourers, were really good, though in certain aspects, a little amendment may be necessary. All the same, I felt that the Bill as now introduced would not satisfy the mining needs of the country. The hon. Minister himself stated yesterday that it would be necessary to have a more

exhaustive law on this question. In view of that I feel it is not necessary that the Bill should go to a Select Committee.

I have gone through the Bill and the old Act also, and it strikes me that the most important aspect to consider when dealing with this law is the importance of the industry from the national point of view. No doubt there are three main interests involved in the matter: the interests of the owner; to a certain extent, if I may say so, the interests and the position of the managers; and the position of labour. On reading the Bill I felt, the hon. Minister will pardon me, as if all the dice were loaded against the managers and the owners. Not that I have no sympathy for labour, I have the greatest sympathy for them. The human element is the most important. When we read of an accident, that lives are lost, that men are buried under the earth, we feel so much that all that could possibly be done must be done to save those lives. Nobody differs on that question, but unfortunately the mining industry which is one of the most important and vital industries of the nation, is also a very hazardous industry, and accidents do not happen in this country alone. Even in the most advanced countries where they have adopted the best safety measures we hear of very serious accidents.

So, it is a very hazardous industry, but for the development of the country it is certainly one of the vital industries. So, we have to improve and develop our mining industry. Production should not suffer and the owners should be persuaded to invest money in this industry. We know that capital is very shy. If we make it too difficult for them, there may not be sufficient investment forthcoming so far as this national industry is concerned.

Then there is the question of the managers. I come from a place which is a little far away from any of these mines, for the nearest mine is the Kolar Gold Mines in our State. So, I have no personal experience or inner

knowledge of the working of any of the coal or other mines, and coal mines are the biggest in our country. But I do feel that the question of the managers is very vital and important. A certain amount of literature has been put into our hands. Let not the Minister get the impression that I am accepting whatever is said in their memorial or anything of that kind, but on reading it I do feel that there is a sort of feeling among the managers that justice is not being done to them. Of course, the Minister must have certainly studied the matter and bestowed the necessary attention on it. I am not saying that the Minister or the Government did not consider it, but the managers feel very much that they are not having a fair deal. He will kindly pardon me if I read a paragraph from one of these memorials, a copy of which they have deemed it fit to send me also. They are referring to the safety conference, and I am only reading this extract, with your permission, to show the feelings of the managers:

"Safety Conference was called at Calcutta in September, 58 and we were also invited perhaps as a formality as events subsequently showed. We were put in the back-most seats. . . .

—and we backbenchers know what backmost seats are—

" . . . and the labour leaders who obviously know the least about mining and safety were on the front-most seats and had the best hearing and attention. Having no responsibility to carry, naturally they were whole-heartedly for putting the managers in jail and showed a great concern about the welfare of the labour. They felt that the managers were only the Employers' tails and were the labour's enemy number one. They tried to demonstrate that they have a monopoly to speak for the labour and . . . conveniently forgot that any accident, big or small, causes the maximum strain, phy-

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sical and mental, on the manager and production is also completely put out of gear. In each Sub-Committee, the labour leaders also almost outnumbered the rest and in spite of the extremely tactful manner the three Chairmen conducted the proceedings, managers' views could not get much attention although as technical men, their voice should have been the first voice to receive proper respect."

The consequence they describe in the next two sentences.

"Sir, we came back indignant, insulted, disappointed, humiliated and disgraced. We were murderers and were in the dock. We were not fit for any responsibility."

I will stop with that. I do not agree with what is said here because, as I have said, I have no personal experience, but this is one of the reasons why I felt the matter might get a Select Committee. When we deal with a particular set of persons or facts, the most essential thing is that we not only do justice, but as jurisprudence puts it, justice should also appear to be done. Rightly or wrongly these managers are feeling that they are not properly heard. So, I was feeling it might be useful to have a Select Committee, call their representatives and take some evidence from them, and subject them also to necessary cross-examination, and certainly the truth would come out of that. There may or may not be much in what they are saying. Anyhow the hon. Minister has agreed to take some amendments and I hope the final shape of the Bill will be quite all right.

Managers are mostly technical men, people qualified to manage the mines because they have got technical knowledge, diplomas and things like that. As Shri Guha also mentioned yesterday, many of our young men, even from side I know, wish to take up metallurgy in the Banaras University

and such other courses like mining and engineering. When such propaganda is going on that these managers are dealt with very badly and are sent to jail, I do not know whether our best talents would be willing to go in for this course which is a very essential course, because, after all, our industrial development to a large extent depends on the improvement of our mining industry also. When electrical and other engineers are not put to this difficulty, perhaps something should be done in this direction to avoid any anxiety on the part of our young men. That is another aspect which also worked in my mind to some extent. And it is not only that; I find that the memorandum also refers to that fact. Of course, the provisions of law and the provisions of the rules would be interpreted properly. All the same, supposing there is some prejudice, then it may result in hardship, and a punishment may be given which is not just and equitable.

It is provided here that the certificate may be cancelled in certain cases. But we do not find that kind of thing in the case of other offences; we have not gone to the extent of saying that the diploma should be cancelled, in the other cases. It is the university which grants the diplomas or degrees. Suppose it is a law graduate or a medical graduate who commits an offence; his degree is not cancelled on that account. I am only placing this aspect of the question before the House for consideration, because, the managers also are very important, and their interests must be safeguarded. I hope some amendments will be accepted to remedy this matter.

There is one point that I would like to mention from the point of view of the labour also. When I heard my hon. friend Shri S. C. Samanta yesterday, about the training of the labourers, I felt that it was a very important aspect. I do not know whether it would be possible to bring forward any amendments in this Bill . . .

**The Minister of Labour and Employment and Planning (Shri Nanda):** The provision is already there.

**Shri Achar:** I am sorry. Unfortunately, I could not attend the meeting this morning. I wanted to attend, but I could not. This question of training is very important, because we find that most of the labourers are illiterate; they do not have sufficient knowledge. Therefore, to send them down the mines without sufficient training will be certainly bad. Since the hon. Minister says that already certain amendments have been put in, I shall not say much on that.

**Shri Nanda:** To relieve my hon. friend of his anxiety, I may also add that I do not think many managers have really gone to jail at all. I do not know of anyone who has gone to jail. And there may be only a very rare instance of any manager who has lost his certificate or diploma.

**Shri Achar:** I do not know whether any such thing has happened. But, somehow, this impression has been created, and this literature has come into our hands and says that though not till now, at least, hereafter, that kind of thing may happen. That is the point. As it is, it will not be so, but there is that risk. We have to protect the interests of the human beings who work there, no doubt, but, at the same time, we have also to see that the managers also are not scared away.

As I said earlier, this is a great national industry. We have to view it from all points of view, including the point of view of the owners. They must get sufficient incentive for investing in this industry. If we have laws which practically prevent capital coming into this industry, then it will not be good. For example, we have got the tea industry in the south. I find that from the Nilgiris, most of the capital is going away. They are selling their estates and going away. That will not be in the interests of the nation. In the same way . . .

**Shri Tangamani (Madurai):** British capital is going away, but the Indian capital remains.

**Shri Achar:** Unfortunately, my hon. friend's angle of vision is a little different. So far as capital is concerned, we want capital for developmental purposes, whether it be Indian or foreign so, we want foreign capital also. That is our view. I know, of course, that my hon. friend's point of view is that there should not be any foreign capital, that everything should be in the public sector and that everything should be run with our own capital. But, we feel that for the development of the country, foreign capital is required. From this point of view, I feel that capital going out of the tea industry is not in the interests of the country. Therefore, so far as I am concerned at least, I feel that everything must be done to attract capital for the industry.

There is one other aspect with regard to the miners. Under the section as it stands, there will be an offence even on the basis of constructive liability. It is not known to criminal law or the law of criminal jurisprudence that a person should be convicted even without his knowing about the offence, without his being a party, because constructively, he is liable. Suppose, there is a miner who has invested some money, and he is not in the country, but far away in America or somewhere else; even then, he would be liable. Actually, he may not be responsible at all; somebody else may be responsible, maybe, his agent or his manager or somebody else may be responsible for looking after the mine in his absence. Yet, as the section stands, just because the person has invested some money, he will also be criminally liable. I submit that that will not be fair. And that will be also one of the elements which will drive away capital. I would submit that an amendment to this section also must be accepted by Government.

I now come to the wages of labour, and various other matters concerning labour such as better conditions of service etc. That is quite welcome. If the industry can stand it, we must certainly have it. But there is another aspect of the question which also has to be borne in mind. So far as the most important mineral, namely coal,

[**Shri Achar**]

is concerned, there is a board to fix the prices. The price of coal has now been fixed taking into consideration all the factors which would affect it. If there is no immediate possibility of its revision, and at the same time, we increase the wages and other items of the cost of production, that will work a hardship.

**Shri T. B. Vittal Rao:** What about increasing the royalty and thereby increasing the cost of production? My hon. friend will agree to that?

**Shri Achar:** I have not touched that point at all. That is a different aspect of the question altogether. Let my hon. friend look at the aspect which I am urging. Suppose, we do not allow the price of coal to go up or the other items of the cost of production to go up, and at the same time, increase the payment to be made to the labourers, then . . .

**Shri S. C. Samanta (Tamluk):** On a point of order. When an hon. Member is speaking, there should be someone in the Treasury Benches at least to record the points.

**Mr. Deputy-Speaker:** I am sorry that the hon. Minister had to go away. The hon. Minister should always be here.

**An Hon. Member:** All the three are now coming in, the hon. Minister, his Deputy and his Parliamentary Secretary.

**Mr. Deputy-Speaker:** All the three should not make simultaneous exit and simultaneous entry.

**Shri Achar:** My submission is that if we want to better the conditions and give higher salaries to the labourers, then it would not be fair to do it without increasing the price of coal. We should not fix higher wages without allowing an increase in the price.

**श्री राम छत्त्व गुप्त (महेन्द्रगढ़) :** माननीय डिप्टी स्ट्रीकर साहब, माइन्स

प्रमेंडबेट बिल की बहुत अहवाल है। सन् १९५२ में माइन्स एक पास किया गया था, लाज उसको प्रमेंड किया जा रहा है क्योंकि उसके सात साल के पिछले तबूरे से इस बात की जल्लरत महसूस की जा रही थी कि इस एक्ट को इन्प्लामेंट करने में जो डिफिकल्टीज अब तक रही हैं उनको देखते हुये इसको जल्लर प्रमेंड किया जाये। इस बिल का तकरीबन ६० या ७० हजार मजदूरों पर असर पड़ेगा जो कि माइन्स से काम करते हैं और मुझे पूरा विश्वास है कि इस बिल के प्रमेंड होने से उनको जल्लर क यदा पहुंचेगा और यह जो कदम उठ या गया है वह बहुत सराहनीय कदम है। इनके लिये मैं माननीय लेबर मिनिस्टर को दिल से मुबारकबाद देता हूँ।

अच्छा होता अगर यह बिल ज्वायेंट कमेटी को रिफर कर दिया जाता और यह नज़दीज कल मेरे बहुत मेरा माननीय सदस्यों ने कोई थी। यह ठीक है कि इन बिल को लेबर कंसन्ट्रेटिव कमेटी में थारोनी डि-कम किया गया था, लेकिन उसमें ज्वायेंट कमेटी में भेजने का जो परपत्र है वह हल नहीं होता। जहा तक मीजूदा बिल का सवाल है उसमें बहुत से ऐसे कलाजेज हैं जो कि बहुत अहम हैं। उनके मिसिले में मैं चन्द नज़दीजें माननीय मंत्री जी के समने पेश करूँगा। आशा है कि वह उनको जल्लर एक्टमिन करेंगे और ऐक्सेप्ट करेंगे।

मेरी पहली तज़रीज यह है कि बनाज ३ को इस ढंग से प्रमेंड किया जाय जिससे इस एक्ट के प्रविजन्स का तकरीबन तमाम माइन्स पर असर हो। बनाज ३ में कहा गया है कि बहुत सी ऐसी माइन्स पर, जो कि सिर्फ प्रस्पेक्टिव परपत्र के लिये एक्टक्रेट की जारीगी, इसका असर नहीं होगा, और वर्कर्स की तादाद भी कम से कम २० जक्कर होनी चाहिये। मेरी यह अपील है कि जहां तक इस एक्ट की प्रविजन्स का ताल्लुक

है, लास तौर पर उस प्राविजन का जो कि अकांस्क की अमेनिटीज से ताल्लुक रखती है, उसका उन पर जरूर असर होना चाहिये।

दूसरी तज्जीज जो भैं इस हाउस के: सामने रखना चाहता हूँ वह यह कि इस बिल वे: अन्दर क्लाज ११ कहुत अहम है क्योंकि उसके द्वारा बहुत सी ऐसी अमेनिटीज और फेसिनिटीज दी जा रही है जो कि पहले नहीं थी। यह बहुत अच्छा, बदम है। भौजूदा एकट में सफहा ३० पर भी, नोट्स आन बलाजिज में जो जिक किया गया है उसमें कहा गया है :

"There is no provision at present for taking action against an owner etc. of a mine for failure to comply with a notice under sub-section (1)".

यानी इन अमेनिटीज के: दारे में अगर कोई ओनर कोई बदम न उठाये तो उसके विलाप कोई एकेविट एक्शन नहीं दिया जा सकता। इस क्लाज के: बारे में अमेंडमेंट नागू किया जा रहा है। यह बड़ी खुशी की बात है क्योंकि इस बात की बहुत ज्यादा जहरत थी ताकि उसके विलाप एक्शन दिया जा सके। इसके बारे में मेरी सिफ़ इतनी अपील है कि: इस क्लाज में जो पेज ७ पर यह कहा गया है :

"...the owner, agent or manager of the mine may...appeal against the same to the Chief Inspector who may confirm, modify or cancel the notice or order".

4.52 hrs.

[SHRI BARMAN in the Chair]

इसके बारे में मेरी यह प्रार्थना है कि इस के सिये एक टाइम लिमिट होनी चाहिये। पह बात में इसलिये कह रहा हूँ कि अक्सर पह देलने में आता है कि टाइम लिमिट न होने के कारण अक्सर फैसलों में देरी हो जाती है। इससे एम्प्लायर्स और एम्प्लाजिज दोनों पर बुरा असर पड़ता है। उनके ताल्लुकात बिट होते जाते हैं और

पीसफुल एटमास्फिअर लत्म होता जाता है: मेरी यह प्रार्थना है कि इसके लिये कुछ न कूछ टाइम लिमिट जहर रक्खी जाय ताकि जिस अदालत को इस के बारे मैं सेला करना है वह जल्दी बरे, चाहे वह उसे कर्म करे या भोड़ाई करे या कैसेल करे। मैं चाहता हूँ कि माननीय मंत्री मेरी इस तज्जीज पर जहर गोर करें। इसी तरह मैं चाहता हूँ कि अगर कोई मामला सेंट्रल गवर्नर्मेंट को रिकर किया जाय तो उसके लिये भी कोई टाइम लिमिट बुकार की जाय। मैं यह भी चाहता हूँ कि क्लाज १३ के द्वारा जो सेक्यूरिटी २४ को अमेंड किया जा रहा है और एन्क्वायरी का एक तरीका मुकार किया जा रहा है वह भी किवक और एकेविट होना चाहिये ताकि एन्क्वायरी जल्दी हो सके और मुनासिब एक्शन लिया जा सके। अगर भौजूदा एकट को इस ढंग से अमेंड किया गया तो एन्क्वायरी ज्यादा यूजफुल मानित होगी और इस के सिये भी टाइम लिमिट होनी चाहिये।

इस बिल के अन्दर यह भी एक बड़ा अच्छा अमेंडमेंट है कि जो पेनल क्लावेज है उन्हें मरत बनाया जा रहा है। इस की बहुत ज्यादा जरूरत थी और नोट्स आन क्लावेज में भी इस बात का जिक किया गया है।

"These clauses seek to amend sections 64, 65, 66, 67 and 69 of the Act and to substitute new sections for sections 73 and 74. These sections relate to the punishment that may be imposed for contravention of different provisions of the Act. In mines, violation of statutory provisions has a special significance as the safety of limbs and lives of the persons employed depends upon the proper observance of the provisions. Experience has shown that the penalty laid down for contravention at present is not of a sufficiently deterrent nature and it has, therefore, been increased".

## [श्री राम कृष्ण गुप्त]

यह बड़ी अच्छी तजबीज़ है और इस के लिये जो पनिशेंट को सख्त किया जा रहा है, उस का बहुत अच्छा असर पड़ेगा। इससे घोनसं के खिलाफ एफेक्टिव कारंवाई की जा सकेगी और उनके खिलाफ ऐक्शन लिया जा सकेगा।

यह बहुत बड़ी खुशी की बात है कि ऐसी भी पावर अस्थायार की जा रही है जिस से उन घोनसं के खिलाफ कारंवाई की जा सके, उन के स्टिफिकेट्स बर्गरह कैसेल किये जा सकें, जो कि मिसकांडक्ट और नेग्लिजेन्स के कुसूरवार हैं। इसका बहुत अच्छा असर पड़ेगा और इस किस्म की कारंवाई निहायत कामयाब होगी।

कलाज ४५ के ढारा जो इस ऐक्ट में चीफ इंस्पेक्टर या किसी दूसरी अधारिटी को और पावर देने का सवाल है, मैं उस के हक में नहीं हूँ।

यह बात ठीक है कि चीफ इंस्पेक्टर या किसी ऐसी अधारिटी को यह पावर जरूर होनी चाहिये कि वह ऐसा कदम उठा सके जिससे कि वह जिन माइंस को मुनासिब समस्त सके बहां इस ऐक्ट के प्राविज़स लागू न हों। लेकिन यह अनलिमिटेड पावर है और इस के बारे में मेरी यह राय है कि ऐसा कदम उठाने से पहले कम से कम किसी भी स्टेज पर कोई ऐसा तरीका जरूर ऐडाएट किया जाय जिससे वर्कस की इसके बरे में राय ली जा सके क्योंकि हो सकता है कि इस पावर को मियूज किया जाय। मुझे पूरा विश्वास है कि माननीय मंत्री इस बात को जरूर स्वीकार करेंगे। मैं यह नहीं कहता कि इंस्पेक्टर को या अधारिटी को पावर न दी जाय लेकिन मजदूरों को, माइंस में काम करने वालों को भी इस मामले

में जरूर कंसल्ट किया जाय ताकि किसी माइंस को इस ऐक्ट के प्राविज़स से एग्जेस्ट करने से पहले उनकी भी राय ली जा सके। इन चन्द तजबीजों के साथ मैं फिर माननीय मंत्री से अपील करता हूँ कि वे उनको जहां तक भी सम्भव हो सके जरूर स्वीकार करने की कृपा करें।

**Shri Nanda:** Mr. Chairman, when I brought up the Bill before the House, I had not dreamt that it was going to become a controversial measure. I thought that the provisions were so simple and straightforward and of such a minimum character that there would not be any kind of resistance to what was intended to be done through this amending Bill. As I studied the various observations made—criticism of and opposition to some of the clauses of the Bill—I felt that there was no realistic element in that opposition and in this controversy. One felt as if something was going to happen, some impending calamity, some very great injustice was going to be done to a class of people in the mines—the managers and the others. The whole situation and prospect were being depicted in such dark hues and in such a gloomy manner that I thought there was something dramatic about it.

That is one side of the question. I am thinking of the reactions to some provisions in the Bill aimed at strengthening the safeguards in the interest of the safety of the workers.

**Mr. Chairman:** I think the hon. Minister will take more time.

**Shri Nanda:** Yes.

**Mr. Chairman:** He may continue next day. As it is 3 P.M., we will take up the next item on the Order Paper.

15 hrs.

**MOTION re: SUMMARY OF PROCEEDINGS OF THE SIXTEENTH SESSION OF THE INDIAN LABOUR CONFERENCE**

**Mr. Chairman:** Now, we will take up the motion of Shri Diwan Chand Sharma. The hon. Member may move his motion.

**Shri Diwan Chand Sharma (Gurdaspur):** Sir, I beg to move.

"That this House takes note of the Summary of Proceedings of the Sixteenth Session of the Indian Labour Conference laid on the Table of the House on the 11th August, 1958",

I am very happy to have the privilege of initiating the discussion on the Report of the Sixteenth Indian Labour Conference held at Naini Tal during 1958. I am very happy because when all is said and done the Labour Ministry has a good record of work during the last few years since we attained independence. It has been responsible for measures which have done some amount of good to the workers. It has been able to produce a sense of responsibility amongst employers and workers and, if I should be permitted to say so, amongst those officials who deal with the workers' problems.

I remember reading the observations of a foreign team about the developments in India. It was said in their report that our labour legislation was in excess of the social context of our country and also in excess of the economic possibilities of our country.

**Shri T. B. Vittal Rao (Khammam):** Certainly not.

**Shri D. C. Sharma:** I do not agree with that and I am glad that our Labour Minister has not lent his ears to these observations which have come from this visiting team of foreign experts. But, all the same I speak with some limitations.

There are many leaders of the trade union movement in this House and I do not claim to be one. I am not one of the prosperous employers; nor am I an official who has to implement these recommendations. Of course, I have a certain amount of experience so far as labour goes. I have headed once a union of white-collared workers. I am also interested in unions of skilled and semi-skilled workers. I say all this because I know that some of my remarks will, perhaps, not be very much welcome to some of the aggressive trade union leaders that we find all over the world. All the same, I think this report is interesting reading.

**Shri T. B. Vittal Rao:** Aggressive!

**Shri D. C. Sharma:** In the first place, I think, the setting up of this conference is a step in the right direction though I find certain gaps in it. I find in this conference the Ministers of Labour, Works, Housing and Supply, a Member of the Planning Commission, the Minister of Commerce and Industry, the Minister of Steel, Mines and Fuel and even the Defence Minister. But I do not understand why the Minister of Food and Agriculture should not be there, because the problem of agricultural labour is a great problem in our country. I think it affects so many lakhs of workers. It is to be found in every State in India, in every city of India and in every village of India. I do not see any reason why; when all these Ministers are called to the conference, the Minister of Food and Agriculture should not be invited. He should also be there to see what is happening so far as agricultural labour is concerned.

Again, I would say that I do not see any reason why the Minister of Education should not be there. Most of the teachers in our country want to be classified as workers. In fact, there is legislation brought forward, so far as the West Bengal Government is concerned, which deals with strikes and things like that by hospital workers and teachers. So, the

[Shri D. C. Sharma]

teachers in West Bengal are going to be equated with workers and others. That may be happening in other States also.

I also find that sometimes the relations between the teachers and managements are not very happy. So, if it is the function of the Labour Ministry to smooth the relations between employers of whatever category they may be and workers of whatever category they may be, I do not see any reason why the Minister of Education should not also be there.

Again, I cannot understand why the Minister of Information and Broadcasting had been omitted from this grand list. The Minister of Information deals with a very important aspect of our national life. He deals with the Press. We know the relations between the workers in the Press and the Press owners or the Press Managers have not been very happy. At least I often find that there is some kind of uneasiness always in the relations between the managements of newspapers and those persons who are responsible for running these newspapers.

Recently, there was a threat of strike on behalf of the P.T.I. employees. I do not know what would have happened to all the proceedings in Parliament if that thing had happened. Similarly, there are other things which come up for discussion on the floor of this House. So, I should have thought that he should also have been there to see how the Ministry is working vis-a-vis the workers who are engaged in the different aspects so far as this Ministry is concerned.

Then, there is the Ministry of Transport and Communications. It is a big thing. If the Minister of Railways can be there, I do not understand why the Minister of Transport and Communications should not be there. After all, he is also dealing with a large number of employees. So I ask this question why is it that only some Ministers were there

and why other Ministers who also deal with workers of one type or the other were not there.

**Shri Goray (Poona):** Don't you think that the Home Minister who deals with strikes should have been there?

**Shri D. C. Sharma:** I think I shall leave it to you. I do not want to exhaust all the points.

**Mr. Chairman:** Order, order. The hon. Member must address the Chair.

**Shri D. C. Sharma:** What can I do, Sir? This gentleman has such a pleasing face that I cannot help looking at him.

Again, I find that the representatives of the States were there. I think all the States were represented. But, why not the Union territories; why not Delhi and Himachal Pradesh; why not other Union territories? I know there has been a lot of trouble in Himachal Pradesh between the transport workers and the authorities. In Delhi we are up against some kind of problem or other affecting the workers every now and then. Why should these Union territories not be there in order that the conference could have the fullest discussion, could have comprehensive information and adequacy of recommendations?

Of course, I have found a large number of officials attending this conference. I am not very unhappy about that because they function all the time behind the scenes. I do not mind if the conference has more officials provided the other categories are also represented there.

There are employers. I find that only few of the employers were there. I do not know what principle was adopted for the representation of the employers. I would have thought that the employers of almost all the leading industries should be represented there. I am not very fond of employers but I want due considera-

tion to be shown to every section that is there: Again, there are workers—I am subject to correction—who represent only four organisations. Some of them are invitees and others were visitors and observers. This classification is very interesting but I would have thought that a little more scope should be there so far as the representation of these organisations is concerned. This would have given this Conference much more solidity of representation and much more authority. So far as the principles of this conference are concerned, I am fully in agreement with them. For instance, decisions must be unanimous before they are implemented. All these recommendations are done on a voluntary basis and they are followed by legislation or executive action. The conference has also formulated certain codes of discipline, grievance procedure, code of efficiency, etc. and I will refer to them later on in the speech. All these things mean a lot of good to the workers.

So far as this conference is concerned, I cannot do better than quote the observation made by Shri Dange, the Leader of the Communist Group here. It shows the cordiality, goodwill and friendly relations that existed there. The report says:

"Shri S. A. Dange congratulated the Chairman on the success of the Conference. He was happy that the Conference was coming to grip concrete problems instead of discussing theory and principles. The Conference was in the nature of an association of friends who discussed problems embracing the whole field of industrial relations and came to agreements about them. If this system continued it would ensure the proper development of national economy."

In India we are dealing with two problems—problems of production and distribution. There are some countries which are high production and high consumption countries and we

are also trying to move in that direction. But we cannot for this take as our model any highly industrialised country, such as the United States or any country which has advanced very much along industrial self-sufficiency. Since our Government is always sending abroad delegations to study new problems—I am happy that it is done—I would say that our Labour Ministry would be well-advised in sending a delegation to West Germany to study why the industrial relations are so good in that country. Why is production per unit so high? Why is the industrial index rising day by day? How is it that the people were not only able to make good the loss suffered during the war but were able to become one of the biggest industrial countries of the world? We should study the method of production in that country study the welfare agencies for workers and the training system in that country so that we may benefit by what is happening there.

I am very happy that Shri Nanda is presiding over this Ministry.

पंडित वल्लभान्नायण्ण "बंदेश" (विवपुरी):  
समाप्ति महोदय, कोरम नहीं है।

Shri S. M. Banerjee (Kanpur): The Prime Minister is equal to fifty hon. Members!

Shri D. C. Sharma: He is careful about the welfare of the workers and very anxious to implement all the good resolutions of this Conference. I would have liked more dynamism in this Ministry. It works on scientific lines to implement its policies. It has study groups and it has implementation committees. It has all the apparatus for the study of problems and for the implementation of the recommendations. I am very happy about it. After all we have to work within a democratic set-up. But I find that so far as the putting into effect of this resolution is concerned, the position is not as good as it should be. The speed is limited. Perhaps the labour relations are a very complex problem. It is not easy to find one's way in this labyrinth

[Shri D. C. Sharma]

of labour relations. I understand that. But all the same, I would say that the Labour Ministry should develop a new kind of dynamism. When we talk about our Plan, we talk of the take-off stage. I wish that this Ministry should also have that take-off stage. It should develop dynamism which improves industrial relations and adds to production.

For instance, when I look up at the record of this Ministry I feel happy but I do not feel very happy. Of course, about one thing I feel extremely happy and I wish that it should be the pattern of our industrial relations in this country. I turn to page 156 of this report and I find there something which does my heart a lot of good. It should be the basic pattern of employer-employee relations in every country.

**Mr. Chairman:** The hon. Member's time is up.

**Shri D. C. Sharma:** I would need about thirty minutes.

**Mr. Chairman:** The Minister wants to take half an hour.

**Shri D. C. Sharma:** How can he take half an hour if I do not take half an hour?

**Mr. Chairman:** He has taken 20 minutes and I will give him another five minutes.

**Shri D. C. Sharma:** I find here:

"Government have always approved and encouraged mutual agreements between employers' and workers' organisations."

Then I find a list of those agreements given: the management and workers of T.I.S.C.O., Jamshedpur; Bombay Millowners Association, Bombay and its workers and so on. I wish this pattern should be the prevailing pattern of industrial relations in my country, and I hope the Ministry will do something to bring that thing about.

So far as the employees' state insurance scheme is concerned, I do not think I can congratulate the Ministry on its performance, because I find that there are so many cities in which it has not come into full fruition so far. This is something which can give the workers an impression of the welfare State which we are building up. I should be very happy if the employees' state insurance scheme is given a greater momentum.

Again, I find that under the Employees' Provident Fund Scheme there is a recommendation that the rate of contribution should be raised from 6½ per cent to 8-1/3 per cent but it has not yet been receiving as much attention as it should. There was also the question that the Industrial Disputes Act should be amended and District Judges should be there to decide the disputes, but that also has not been done. So far as subsidized industrial housing scheme is concerned, the progress has been good but not adequate. I wish that the progress should become better than what it is now.

So far as productivity is concerned, we are studying this problem in respect of certain industries, but I think it should become a measure embracing every industry.

Sir, I am a teacher. When I think of the workers' education I feel very very sore. I think so far we have got only one institute for workers' education at Indore—if I am wrong I may be corrected, but that was given in reply to a question which was put some time back. Workers' education is one of the urgent needs and I would say that it should receive top priority at the hands of the Ministry.

**Shri Tangamani (Madurai):** One school has completed its course; there is another school going on now.

**Shri D. C. Sharma:** Regarding workers' participation, it has not made much headway. I am very happy, of course, that the grievances proce-

procedure has been laid down. I think this will promote happy industrial relations to a great deal. It is given on page 148 of the Report. I do not want to read it out, but I think an attempt has been made to simplify the machinery. On page 151 it is said:

"Need to make the machinery simple and expeditious:—

- (a) As far as possible, grievances should be settled at the lowest level.
- (b) No matter should ordinarily be taken up at more than two levels, i.e., normally there should be only one appeal.
- (c) Different types of grievances may be referred to appropriate authorities.
- (d) A grievance must be redressed as expeditiously as possible and towards this end, the employer, in consultation with the workers, should decide upon the time limit required for settling a grievance."

I think this is a very good procedure and I hope it would be put into effect very soon.

Again, I want that the employment relief fund to which the Minister referred should be instituted as early as possible. I think this will also make the workers of our country put their hearts into the work.

I would also like that the public and private undertakings should not be dealt with on a different level and that the workers of public undertakings should be treated in the same way as we treat the workers in private undertakings; perhaps, in certain matters they are better off than the workers in private undertakings but there should be equalisation of advantages.

In the end, Sir, I would say this much, that I do not want to end my speech on a note of complaint, but I

must say that this Report which has been given by the Labour Ministry is a very very good report, not good in this sense that it details only what has been done, but good also in the sense that it has summarised the different view points and that it has also stated what is not done and what remains to be done. Therefore, this report is not a report which is full of pious hopes or vague generalisations, it is a report which deals with concrete reality. These concrete realities affect not only the workers of India but also our country and also our nation. They have got to work much more than ever before. You know, Sir, our relations with China are not very happy, and I think the workers may have to use their energy in a greater degree than before, they will have to work with greater vigour than before.

So I say, this report makes very good reading and it deals with realities. I, therefore, welcome this report and, at the same time, I hope the Labour Ministry will develop a new kind of momentum in solving this problem and in implementing those schemes which it has itself formulated.

**Mr. Chairman:** Motion moved:

"That this House takes note of the summary of Proceedings of the Sixteenth Session of the Indian Labour Conference, laid on the Table of the House on the 11th August, 1958."

There are some six names with me. I propose that hon. Members should try to finish within ten minutes; at any rate, they should not exceed 12 minutes.

**Shri N. R. Muniswamy (Vellore):** There are some hon. Members who have not given their names but who would like to participate in the debate.

**Mr. Chairman:** In that case I will have to limit the time further. Let it be ten minutes for each Member.

**बी राम कुमार गुप्त** (महेन्द्र गढ़) : सभापति जी, इंडियन लेबर कानफरेंस का जो १६वां सेशन नैरोताल में हुआ था उसके प्रोसीडिंग्स की रिपोर्ट जो हाउस के सामने रखी गई है, उसको देखने से पता चलता है कि उस कानफरेंस में बहुत से ऐसे मैट्स पर विचार किया गया जो कि लेबर की बेहतरी से बहुत अधिक साल्लुक रखते हैं। उदाहरण के तौर पर इंडस्ट्रियल रिलेशन्स, सबसी-डाइज़ इंडस्ट्रियल हाउसिंग स्कॉम, इंडस्ट्रियल एंड इम्प्लीमेंटेशन बाक लेबर इनेक्टमेंट्स, एवार्ड्स, सेटिलमेंट्स, एपीमेंट्स। इस कानफरेंस में इस बात पर भी विचार किया गया कि वर्कस में डिसिप्लिन और प्रीवांस प्रोसीडिंग्स कैसा बनाया जाये और वर्कस पारटिसिपेशन इन मैनेजमेंट की स्कीम में कितनी तरफकी दृष्टि है और संकिंच काइब इयरप्लान के अनंदर जो लेबर पालिसी को इम्प्लीमेंट करने के लिये उस्तूर तैयार किया गया था उसमें कितनी कामयाबी हुई है।

इस रिपोर्ट का देखने से पता चलता है कि जहां तक इन तमाम चीजों का ताल्लुक है इन तमाम चीजों में काफी तरफकी दृष्टि है। लेकिन इसके साथ साथ दो तोन चीजें ऐसी भी हैं जिनकी तरफ और भी ज्यादा ध्यान देने की ज़रूरत है।

मैं सबसे पहले उस तज़वीज को लेता हूँ जिसके बारे में इस कानफरेंस में भी विचार किया गया था; कि हमारा जो बीजूदा इंडस्ट्रियल डिस्प्लॉट्स एक्ट है उसको अमेंड किया जाय। यह खुशी को बात है। इसके बारे में मेरी सिर्फ़ एक ही तज़वीज है कि जिस बहुत इस एक्ट को अमेंड किया जाये तो इस बात का भी लास तौर पर स्पाल रखा जाये कि इस एक्ट के अनंदर जो सेक्षन ३ है उसके जरिये जो वर्कस कमेटीज मुकर्रं की मई है उनके फ़ंक्शन और पावर्स को बढ़ाया जाय। इस किस्म का सावाल इस हाउस में भी कई बारा उठाया

या है और यह जाहिर किया गया कि इस पर विवाद हो रहा है। मेरा अनन्त यह विचार है कि अगर सही तौर पर यह मालूम करने की कोशिश की जाये कि जो वर्कस कमेटीज बनायी गई थीं वह कितनी कामयाब हुई तो आप इस नीजे पर पहुँचेंगे कि वह तकरीबन फेल हो गई है। उनकी कोई खास ताकत नहीं, उनके हाथ में कोई खास कंशन नहीं। मेरी इस बात की तार्द उत्तर प्रदेश के बीकू निनिस्टर साहब ने भी अपनी इनागरल स्पीच में की थी मोर उन्होंने यह कहा :

*"What shall we do about the Works Committee? I have always emphasized the importance of its role in the growth of industrial democracy. But it is also my definite view that if it has to exist, it should do so as a live and vigorous institution. At the moment a widespread impression is that in most cases the Works Committees are not performing any useful function."*

यह बात काफी हद तक दुर्लभ है भारत मेरा भी अपना यही इम्प्रेशन है और मेरा कहना है कि अगर वर्कस कमेटीज को रियल पावर दी जाती तो हमें जो दूसरी स्कीम तैयार करनी पड़ी कि लेबर को मेरेजमेंट में हिस्सा दिया जाय, शायद उसकी ज़रूरत न पड़ी। मुझे पूरा विश्वास है कि माननीय मंत्री इस बात पर ज़रूर विचार करेंगे। इस विषय में मैं ने भी एक छोटा सा बिल इस हाउस में पेश किया था। अगर माननीय मंत्री जी उस बिल को स्वीकार कर ले तो मेरा यह ख्याल है कि उनको काफी पावर मिल सकती है। उस बिल के जरिये मैंने हाउस के सामने यह तज़वीज रखी थी कि सेक्षन ३ के सब सेक्षन २ के भालिर में एक नया सब सेक्षन और उसका दिया जाये और उसके उनकी पावर काफी बढ़ सकती है।

"(3) Subject to the provisions of this section, the Works Committee shall be entitled to exercise all such powers as the employer is authorised to exercise and to do all such acts and things as the employer is authorised to do in the matters of production, workers' amenities and facilities provided under the various provisions of the Factories Act, 1948 and any matter of common interest:

Provided that it shall have no say in the purchase or sale of any goods or property on behalf of the industrial establishment but all accounts shall be placed in the meeting of the Committee.

(4) The Works Committee shall decide all industrial disputes provided in the schedules of Industrial Disputes Act, 1947 and unanimous decision of the Committee shall be final and binding upon all the parties and no appeal shall lie against the orders of the Committee."

मैं ने यह बात इसनिये कही कि आज सबसे ज्यादा जबरत इस बात की है कि हमारा प्रोडक्शन बड़े और वह नभी हो सकता है जब कि हम बर्फिं को फुल कानफिंडमें में लें और उन पर मुक़्क़गल नीर पर रिलाई करें। यह ठीक है कि इस तरफ काफी कदम उठाये गय हैं और हमारी मैंफ़ंड फार्म इमरज्यान में भी इस बात की तरफ ध्यान दिया गया है और यह पालिसी तं की गई है जिसने यह कहा गया है :

Paragraph 18, Chapter XXVII, on Labour Policy and Programmes:

"For the successful implementation of the plan increased association of labour with management is necessary. Such a measure would help in promoting increased productivity, for the general benefit of the enterprise, the employees and the community, giving employees a better understanding of their role in the working of industry and of the process of production and

satisfying the workers' urge for self-expression, thus leading to industrial peace, better relations and increased co-operation."

और इसके लिये कुछ अमर्ती कदम भी उठाए गए हैं। सबसे पहला अमर्ती कदम यह था कि इस परियज के लिए एक एक्सपर्ट कमीशन, स्टडी टीम दूसरे देशों को भेजी गयी। उसने पूरोप के बहुत से मुल्कों का दौरा किया और दौरा करने के बाद एक रिपोर्ट पेश की। इन रिपोर्ट के अन्दर भी इस स्कीम को इम्पर्लेमेंट करने के लिए बहुत से सबेशन्स पेश किए गए हैं। मैंने रिपोर्ट के उस बेप्टर को खुब अच्छी तरह से देखा है और मुझे यह देख कर काफी दुख हुआ है कि उस कमीशन ने भी जो सिफारिशें को यीं उनमें से भी अमर्ती तक बहुत सी बातों को इम्पर्लेमेंट नहीं किया गया। इसलिए मेरा रिपोर्ट है कि इस तरफ हमें सीरियसली ध्यान देना चाहिए। इस कमीशन को रिपोर्ट को देखने से पता चलता है कि दूसरे देशों के अन्दर, पूरोप के अन्दर, जो ज्यादा तरक्की हई है उसका सब से बड़ा कारण यह था कि वहां लेबरमें को कानफिंडेंस में लिया गया और उन पर रिलाई किया गया और कारखानों के अन्दर तमाम काम उनको राय से होता था। इसके बारे में इस रिपोर्ट के अन्दर कई बातों का भी जिक्र किया गया है। बड़ी खुशी की बात है कि इस कानफिंडेंस में भी इन तमाम बातों पर विचार किया गया। इसके बारे में मेरा तो पुस्ता स्थान यह है कि हमें इनकी पावर्स को और ज्यादा बड़ाना पड़ेगा और अगर हमने यह कदम उठाया तो मुझे पूरा विश्वास है कि इसका अच्छा असर पड़ेगा। कारखानों का प्रोडक्शन बढ़ेगा और भजदूर दिल से काम करेंगे। दूसरे मुल्कों के अन्दर जहां जहां यह पुष्प गया उन्होंने वहां के बारे में जो बातें कहीं हैं उनको देखने से भी मेरी बात की ताई होती है। इस रिपोर्ट के सुका ५६ पर यह कहा गया है :

[श्री राम कृष्ण गुप्त]

"Our impression of the German experiment is that, on the whole, it has worked. Germany is free from the problem of rival trade unionism and good working arrangements have been made regarding the division of functions between the trade unions and works councils as also regarding collaboration between them. .... The German worker's feeling for his plant and the fact that in spite of low wages and bad food, he has done a wonderful job of rehabilitation of industry are factors which have impressed both employers and legislators."

इसलिए मेरी यह तज्जीज है कि हमें भी इस तरफ कदम उठाना चाहिए और इन भैनेजिंग काउंसिल्स की पावर बढ़ानी चाहिए। ७ तारीख को भी इस किस्म का सवाल हाउस के सामने आया था और माननीय मंत्री जी ने यह जबाब दिया था कि इस मामले पर विचार किया जा रहा है और इंटरेस्टेड पार्टीज की एक कानफरेंस बुलायी जा रही है। यह बहुत सुनी की बात है। मुझे पूरा विश्वास है कि इस कानफरेंस के अन्दर इस बात पर पूरा विचार किया जाएगा और इन भैनेजिंग काउंसिल्स के जो फंक्शन्स हैं उनको बढ़ाने की कोणिश की जाएगी। मैं इस पर इसलिए ज्यादा जोर दे रहा हूँ कि डिमाक्रेसी की कामयाबी के लिए इस बात का होना सब से ज्यादा जरूरी है कि हमारा जो लेबर और कैपीटल प्रावलम हो वह हल हो। जर्मनी का एक बहुत बड़ा ट्रेड यूनियनिंस्ट सीडर हुआ है उसकी भी यही राय है :

"If democracy is to be assured as a way of life and as a form of Government, then a practical solution of the problem of capital and labour must be found."

इसके बाद दूसरी तज्जीज जो कि म हाउस के सामने रखना चाहता हूँ वह यह है कि इस किस्म की कामयाबी के लिए हमें

वर्कर्स की एजूकेशन की तरफ भी पूरा ध्यान देना पड़ेगा। इस ट्रिपोर्ट में भी इस बात की तरफ इशारा किया गया है। आज दो किस्म की एजूकेशन की सबसे ज्यादा जरूरत है। एक तो हमें उनको विश्व इंडस्ट्री ट्रेनिंग देनी चाहिए और दूसरे उनमें ट्रेड यूनियनिंस की एजूकेशन देनी है, क्योंकि आज हम देखते हैं कि इस कमी के कारण उनके खिलाफ अक्सर यह इल्जाम लगाया जाता है, और यह दलील दी जाती है कि यद्यर उनको ज्यादा जिम्मेदारी दी गई, तो वे इस बोक्स को नहीं उठा सकेंगे। यह कमी तभी पूरी हो सकती है, अगर उनको मुकम्मल ट्रेनिंग दी जाये। इसका फायदा यह भी होगा कि इससे वर्कर्स में कानूनेसनेस पैदा होगी। आज हम देखते हैं कि बहुत ज्यादा यूनियनें बन जाती हैं और उनमें ऐसी यूनियन्ज भी होती हैं, जो बोगस होती हैं और जो एम्प्लायर्स के हाथों में खेलती हैं। यह ट्रेनिंग देने से वे इस से भी बच जायेंगे। मुझे पूरा विश्वास है कि उनकी एजूकेशन की तरफ पूरा ध्यान दिया जायेगा।

इस कानफरेंस में ट्रेड यूनियन्ज को रेकर्नाइज करने के लिए जो मैयड सजेस्ट किए गए हैं, मैं उनसे इस्टलाफ रखता हूँ। मेरी राय यह है—और मैं एन्ड्रह बीस साल तक लेबर मूवमेंट में काम करने के बाद इस नर्तजे पर पहुँचा हूँ—कि यद्यर हम महीने तौर पर मड्डूरों का भला चाहते हैं, तो हमें इस तरफ कदम उठाना पड़ेगा और हमारा स्लोगन यह होना चाहिए—बल यूनियन कार इंडस्ट्री। इसलिए हमें अपने ट्रेड यूनियन एक्ट को भी अमेंड करना पड़ेगा, ताकि बोगस यूनियन न बन सकें और मड्डूरों को एक्सप्लायर न किया जा सके।

आखिर में एक दो छोटी छोटी बातें और हाउस के सामने रखना चाहता हूँ। सीबंड फ्राइंड यीजर प्लान में लेबर की तरफकी के लिए जो प्रोत्तम बनाया गया था, इस

कांकरेस में इस बात पर भी विचार किया गया कि वह प्रोग्राम कहां तक कामयाब होगा है। जहां तक मैं देखता हूँ, उस प्रोग्राम की कामयाब करने के लिए काफ़ी कोशिश की ज़रूरत है। इस बारे में एक छोटी सी तज़ीज़ यह है कि एक ऐसी कमेटी बनाई जाए, जिसमें इस हाउस के नुमाइन्दे और मंड़दूरों के नुमाइन्दे हों और वे इस बात का पता लगायें कि कहां तक इस प्रामळे में तरक्की हुई है, ताकि जब हम थंड फ़ाइश यीमर प्लान बनायें, तो जो कमियां रह गई हैं, उनको उसमें हम पूरा कर सकें।

मेरी आविरो तज़ीज़ यह है—पूरे मुझे पूरा विश्वास है कि माननीय मंत्री जो इस बात को ज़रूर तमाम करें—कि जो लेवर कनसल्टेटिव कमेटी के पार्लियामेंट के भेस्टर हैं, उनको भी आइन्डा सालाना कांकरेस में ज़रूर इनवाइट किया जाए। हम देखते हैं कि जो एन्युयल कांफरेंस होती है—भस्लन बर्क्स, हाउसिंग एंड सज्जाई मिनिस्ट्री की—उनमें कनसल्टेटिव कमेटी के पार्लियामेंट के भेस्टरों को भी इनवाइट किया जाता है। मेरी इस तज़ीज़ को मानने से काफ़ी फ़ायदा होगा।

**Shri T. B. Vittal Rao:** They were invited, but a decision was taken in the conference not to invite them. We cannot do anything.

**Shri Ram Krishan Gupta:** Therefore, I am saying this.

यह जो रिपोर्ट हाउस में रखी गई है, वह बहुत ग्राह्य है और मुझे पूरा विश्वास है कि उसमें जो तज़ीज़े मंड़दूरों की बेहतरी के लिए दी गई हैं, उन को पूरा करने के लिए पूरी कोशिश की जाएगी और आइन्डा जो सालाना रिपोर्ट आयेगी, उसको देखने से ज़रूर इस बात का पता लगेगा कि इस तरफ और भी ज्यादा तरक्की हुई है।

**Shri Tangamani:** Sir, I am one of the three Members who have given notice of this motion to discuss the

decisions taken at the sixteenth Indian Labour Conference, held in Naini Tal, on the 20th May, 1958, to which I was also one of the delegates. At the outset, I would like to say that the decisions taken at that conference are very important both for the development of industry and the development of industrial relations. As the House is aware, yearly Indian Labour Conferences are held. They are tripartite in nature and the representatives from the various State Governments are also present in these conferences.

The fifteenth Indian Labour Conference held in Delhi in July, 1957 probably marked a turn. Certain decisions were taken on the question of wage policy, casualisation, housing and the code of discipline. These four items are really an integrated whole and form the basis of the new turn I am referring to this as a new turn because of late the Indian Labour Conferences, the standing labour committees and various industrial committees are forming the national forum for discussing the various issues raised and also arriving at certain specific decisions.

Just before the sixteenth Indian Labour Conference, two important events took place. On the question of recognition of union, there was a strike which started on 12th May, 1958 in Jamshedpur and a strike was threatened as a result of the closures that were going on in the textile industry in Bombay. In this particular conference, so far as labour was concerned, not only the representatives of the four central trade unions, viz. All India Trade Union Congress, Indian National Trade Union Congress, Hind Mazdoor Sabha and the United Trade Union Congress, but the representatives of various other federations were also invited. The representatives of the All India Bank Employees' Association and the All India Defence Employees' Federation and also the employees of the textile industry in Bombay—it is not a recognised union—were also invited, viz., Shri S. M. Joshi and others.

[Shri Tangamani]

In the course of the discussions, many decisions were taken. References have already been made by Shri Sharma and the previous speaker about the decisions of the works committee, grievance procedure and the training of the employees. An important event which took place in this particular conference was the meeting initiated by the Labour Minister himself on the 24th May to avoid inter-union rivalry. So, a code of conduct was formulated, as to how the various central trade union organizations should behave themselves. I am not going into the details of those things.

My point is, when certain important decisions have been taken, how far they have been implemented? I will mention half a dozen instances to show how decisions taken for advancing the industrial relations have not been acted upon with speed by Government and have been negatived by the employers. If certain decisions are taken, amendments to the various legislations should follow. For instance, it was decided that in future, before trade unions are registered, they must have four annas per mensem as the subscription fees for membership; and also, if one of the seven promoters of the union is discharged before it is registered, but who was an employee at the time of application, he will be taken to be an employee. That was agreed to, but to this day no amendment of the Indian Trade Unions Act has come.

Then, regarding the employees' state insurance, there was a prior conference of the Labour Ministers of the States and the Centre and certain specific decisions were taken. Various decisions like Rs. 30 for confinement of the wives of the insured, improvement in cash benefits, Government's share should be one-eighth of the total expenditure, etc. were taken. There was also a specific decision about the revision of the waiting period. For that, an amendment to the Employees'

State Insurance Act, 1948 is necessary, but that has not been done to this day.

So far as cash benefits to the sick persons are concerned, an employee is not entitled to it if he has not paid for seven weeks out of a period of 24 weeks. A case may arise where during these 24 weeks, there is a legal lock-out, a legal strike or a lock-out in dispute for more than 7 weeks. I may mention the case of the Madurai Mills workers. The mill was locked out for more than 8 weeks. Naturally, there will not be any contribution for those 8 weeks. If out of 24 weeks, there is no contribution for 8 weeks, according to the law, as it is today, the workers will not be entitled to cash benefits in the case of illness.

Then, employer's contribution has to be 4½ per cent as it is provided by law. But I do not know why even to this there is resistance on the part of employers. I can understand the resistance on the part of employers, but there is resistance on the part of Government and naturally there is resistance on the part of the Corporation, because the Corporation is to this day sleeping over it.

Then, at present according to the Employees' Provident Fund Act, a worker gets that privilege only if he is employed in a unit employing more than 50 workers. It was definitely accepted that it can be extended to units employing 20 persons and more. For that an amendment of the Act is necessary. What has happened to that?

Another point raised more or less in every Indian Labour Conference and resisted by the employers is the question of raising the employee's and the employer's contribution from 6½ per cent to 8-1/3 per cent. The hon. House knows that after particular decisions are taken, in the next conference the position how far these decisions are implemented is reported to the conference. Subsequently, the

17th Indian Labour Conference did take place in Madras. We were told that there was a conference and that the employers are still resisting it.

Now I will refer to another question of implementation. In the 16th Indian Labour Conference the question of amending the Industrial Disputes Act came in, particularly sections 7(a)(3) and section 24(3). Then it was agreed that a sub-committee will be set up, which will go into the various provisions of the Industrial Disputes Act and also into the various decisions of the High Courts and Supreme Court and they will devise ways and means of suitably amending the Industrial Disputes Act itself. A sub-committee was set up and I understand that the recommendations of the sub-committee have been made to this committee. Still, nothing has been done for implementing these recommendations of the sub-committee. As I said, this is a real onslaught on the labour.

**The Deputy Minister of Labour (Shri Abid Ali):** Which is the sub-committee that the hon. Member is referring to? When was it appointed and where did it meet?

**Shri Anthony Pillai (Madras North):** It met in January 1959 in Bombay.

**Shri Tangamani:** Because of want of time, I am rushing through and I cannot deal with all the details.

The question of closures did come up and I think Nandaji told the representatives from Bombay and Kanpur to devise ways and means to prevent these closures, particularly in the textile units, plantations and also engineering industries. Regarding plantations,—I hope the hon. Minister will not deny it—it was agreed that there is no question of bringing in legislation by the State Governments. Assam Government was willing to bring in legislation to protect the employees. But it was agreed in that conference that a Central legislation

will come in, covering plantations specifically. I would like to know why no legislation has come to this day. This decision was taken in May 1958 and closures of small plantation units are taking place here and there. Still, nothing has been done about this.

Regarding cotton textiles, it is true that a textile enquiry committee was set up, and their report has been published. So, it is quite probable that closures in future are not going to increase. We were told that certain units have been taken over, particularly Model Mills in Nagpur, Ajudhya Mills in Delhi and Atherton West Mills in Kanpur. These are some of the good steps that have been taken in the case of *mala fide* closures.

The last point which I would like to mention in this connection is this: how far the decision taken in the 15th Indian Labour Conference on the question of rationalisation is being implemented. The hon. Minister knows that it is not implemented at all. It is implemented in negativating it, because the implementation has to be done by the employers themselves. Unless there is a national necessity, and unless certain other conditions are satisfied, there should not be any rationalisation. But rationalisation is taking place, particularly in the textile industry in South India. The eight week lock-out in the Harvey unit was as a result of the arbitrary step taken by the employers in preventing the implementation of the decision of the 15th Indian Labour Conference.

For want of time I do not propose to say anything more and so I now come to the last point, and that is the question of the Code of Discipline. The note on implementation says:

“We did refer this matter to the Public Sector Conference which was convened subsequent to the Naini Tal Conference.”

In the Public Sector Conference what was the reaction of the Government?

[Shri Tangamani]

Government is also an employer, and there are employees in the public sector also. Are they, or are they not, willing to accept the code of discipline, which has been accepted by the four central organisations, which has been accepted by the Indian Labour Conference? I would like to have a categorical reply from the Government, from the Minister, as to what is the attitude of the Government when they are employers, to the decision of the 16th Indian Labour Conference? I am asking this because the attitude of the Labour Ministry on this point is, I think, quite clear, and that is that the code of discipline must be extended to the public sector also.

**Shri Anthony Pillai:** The 16th Indian Labour Conference cannot be taken in isolation. The decisions of the said conference partially relate to the decisions of the 15th Indian Labour Conference and the 17th Indian Labour Conference. In a sense, these three Indian Labour Conferences promised a new deal to the Indian workers, a revision of the concept of industrial relations and, to that extent, they were welcomed by all sides. These ideas are not now. In fact, in 1947 there was the Industrial Truce Resolution which, unfortunately, never got implemented. But, this time, an expectation was created in the minds of all that here would be a determined effort to give a new deal to the workers and to bring about a new pattern of industrial relations. Whereas in the past such efforts were in the direction of bringing in new legislation, or amending existing legislation, an effort was made to bring about a change by consent, and various codes were formulated, like the Code of Rationalisation, Code of Discipline and the Code of Conduct. Now, these expectations were alive till 1958. But, I am afraid, now we are coming into a period of disappointment and recrimination. Workers, were under the impression

that since many of these matters were initiated by the Ministry of Labour in the Government of India, they would be purposive and some firm steps would be taken to get these decisions implemented. What labour regrets most is that despite these intentions, the sincerity of which I am not doubting, there has been a hesitancy in getting them implemented. Why has there been this hesitancy, it is very difficult to analyse. Some of it undoubtedly rests with the Government of India, and some of it rests with the State Labour Ministers.

I would like to point out first of all the omission on the part of the Labour Ministry at the Government of India level. One would normally expect that where decisions have been arrived at unanimously with regard to amending legislation, there should have been no difficulty whatsoever and no hesitation whatsoever for the Government of India to implement them without any delay.

Let us take the first one which apparently seems to be a very simple one—that the Employees' Provident Fund Act should be amended to increase the rate of contribution from 6-1/3 per cent to 8-1/3 per cent.

**Shri Abid Ali:** Where was it decided?

**Shri Anthony Pillai:** I think the Indian Labour Conference at Naini Tal.

**Shri Abid Ali:** Please see and quote their decision.

**Shri Anthony Pillai:** I will quote it in a minute. I still remember my friend who just interrupted me at that Conference pleading with the employers not to oppose the suggestion of increasing the rate of contribution from 6-1/3 to 8-1/3 per cent. I remember very well what he told the employers: why are you opposing this legislation? Even if you oppose it, Government will bring in legislation to increase the rate of contribution. Your decision is of no worth-

while purpose. Therefore, it is in your own interest to agree to the suggestion to increase the rate of contribution and save your prestige, your dignity and your self-respect. Accordingly, faced with this threat, which apparently seemed to be very strong, and which was applauded by all the labour representatives there, the employers succumbed and agreed.

16 hrs.

**Shri Abid Ali:** No.

**Shri Anthony Pillai:** At least they gave up their opposition.

**Shri Abid Ali:** No. All right; proceed.

**Shri Anthony Pillai:** After that, there has been hesitancy in implementing this particular proposal that the rate of contribution should be increased. The employers have been resisting it. The employers have been cajoled and persuaded. Lastly, we were told that a circular would be sent out to the various associations of particular industries to ask them to show cause why the rate of contribution should not be increased. I can understand one or two industries being able to plead that they have not got the capacity to pay in a given set of circumstances. What about many industries where the paying capacity is indubitable, like, for instance, the cigarette making industry, the petroleum industry. Can it be pleaded that these industry has no capacity to pay? If it is possible for an industrial unit of 50 workers to be able to bear the financial burden of a Provident Fund, I do not see any reason why this long held out promise that the benefits of the Employees Provident Fund Act would be liberalised to benefit the workers employed in factories employing 20 and more could not be implemented. It was also promised that Provident Fund would embrace workers in commercial establishments. These are long-standing promises. Commercial employees have been expecting that something would be done long long ago. Nothing has been done, despite

the decision of the Naini Tal Labour Conference. In this respect, it is not a question of the employers being held responsible for non-implementation or the State Governments being held responsible for non-implementation. The responsibility lies at the door of the Ministry of Labour.

Let us take another decision, where we would have thought that implementation would have been quick. It was unanimously agreed at the Indian Labour Conference at Naini Tal that there was a sufficient amount of money with the Employees State Insurance Corporation to enhance the benefits and extend them to the families of the insured workers. But, the implementation has been very slow. It is true that in one or two industrial centres, like for instance, Bangalore, these benefits have been extended to the families of the workers. Why there has not been sufficient momentum given to enable the extension to be done as rapidly as possible, there has been no explanation forthcoming. Some excuses are trotted out. If the Mysore Government can extend the benefits, I do not see why the Madras Government cannot do it. It is not that the revenues of the Madras Government are insufficient compared to the State of Mysore. We cannot believe it. There is nothing on record to show that there is incapacity.

**Shri N. R. Muniswamy:** They are practising economy?

**Shri Anthony Pillai:** They are practising economy at the expense of the workers and ultimately at the expense of industry, because, unless we have got proper health services, we are not going to get industrial production.

Take another promise that was made that the Industrial Disputes Act would be amended. A Sub-committee was set up. Various proposals and detailed proposals were submitted by various labour organisations. Nothing has been heard about that afterwards.

[Shri Anthony Pillai]

When we see that the Ministry of Labour does not move ahead to implement its promises, surely, there is a certain amount of dissatisfaction.

I will quote another instance. All these codes were accepted as good codes at the Naini Tal Indian Labour Conference. Therefore, it was suggested that it should be extended to the public sector as well. The hon. Minister of Labour was kind enough to say that he would use his influence and good offices with the other employing Ministries of the Government of India and get them to accept the code which has been unanimously approved by even, the employers. What has been done? A Conference has been convened but the code has been set aside by the employing Ministries of the Government of India, which undoubtedly is a sad reflection of the validity of the agreement. In Sweden there are annual tripartite Labour Conferences and the tradition has been set up that whatever is decided by the Labour Conference will be carried out implicitly and expeditiously by all the parties represented at that Conference. It is a sad reflection on the traditions that we are setting up in this country that unanimously approved resolutions are not implemented, and if this tradition is allowed to be persisted in, I am afraid the Indian Labour Conference will merely be a platform where pious wishes are expressed, and nothing will really be done.

I would like to place emphasis on the State Governments being unable to or unwilling to implement the recommendations. Ultimately, the administration of labour laws in many cases and in many respects rests with the State Governments. The Minister of Labour has been trying to sell this code of discipline to the various parties, the employers, the workers and the State Governments. It is the State Governments which are more recalcitrant than even the employers. The implementing machineries have been nominally set up, and in some

States not set up at all. The overburdened Commissioners of Labour are supposed to be also the implementing officers, and the net result is that nothing gets done. Even at the Delhi level, there is an implementing machinery, and I am glad that it is working, but I am afraid that that is an over-worked section of the Ministry. There is not adequate staff. A code can only be implemented by an adequate mediation machinery, and unless that mediation machinery is in existence and is sufficiently wide and staffed with adequate personnel, it will not work and the code would be a failure.

This code is an important change in the pattern of industrial relations. Once upon a time trade unions were thought to be criminal organisations, and therefore they had to be registered and licensed. Then came a stage when trade unions were tolerated, but the new code, as far as I have understood it, puts emphasis on the value of trade unions both for the workers and for the industry. It implies the acceptance that trade unionism is not some criminal tendency, but a social good, and that instead of amending the Trade Unions Act to compel recognition, employers are required, or are made to agree, to recognise representative unions, the representative character of the unions being determined by certain tests and certain rules which have been unanimously accepted.

With regard to the recognition of unions, the only sanction of this code is public opinion. So far very little has been done by way of invoking the sanction of public opinion. Some enquiries are held, enquiries have been held by the implementing machinery of the Government of India, but up to date not one of these reports has been brought to the notice of the public. When an industrial dispute or a strike or a lock-out takes place in contravention of the code, if you accept that the code can only be implemented through the sanction of

public opinion, there should be an immediate enquiry and the facts found by that enquiry should be immediately published so that public opinion may work its way. Without invoking public opinion, this code will be a nullity, and I am afraid there has been great hesitancy on the part of the Ministry of Labour to invoke this potent sanction of public opinion. I do not know why this hesitancy is there. Perhaps the reason is that they think that without unnecessarily wounding the feelings of the employer or a union which has violated the code, by some discussion it can be settled, but surely in practice this hush-hush method is not delivering the goods. Take for instance the Premier Automobile case in Bombay State. Nothing has been done. No doubt some efforts are being made to persuade the employer, but when the efforts fail, you should release the facts. It may be that the union has made a mistake, or the employer has made a mistake, but surely the publication of the facts can only lead to a healthy tendency.

I hope and trust that as a result of this discussion in Parliament, the Government of India would exert itself a little more to implement the decisions, the proposals for which emanated from itself.

**Dr. Melkote (Raichur):** The Indian Labour Conference is being held annually for the past few years, and to an extent, it can be compared to a replica of the ILO conference. Representatives of Government, representatives of the employers and representatives of the trade unions are all present; they discuss the various aspects that affect them, and decisions are arrived at. Whenever differences of opinion arise, matters are postponed for further consideration. But, in any case, unanimous decisions are accepted, and Government try to implement them.

It is in the wake of this that we have got to consider the present report, the motion for the considera-

tion of which has been moved by Shri D. C. Sharma. He has highlighted many a point. After Independence, we have our Five Year Plans to bring the country on a par with the most advanced countries of the world, to give a better deal to the workers, and to raise the standard of living of our people. In the wake of this, numerous decisions have been taken in these conferences, and quite a good deal of them had been implemented by Government through the various Acts that they have passed in this House.

As I said, we are too near the picture. The Naini Tal conference was a historic turning-point in the relations between labour and management. The industrial relations between management and labour were highlighted in this conference. It was in this conference, for the first time, that matters like code of discipline, code of efficiency, and code of conduct were first discussed, and decisions were arrived at. These decisions that have been arrived at are still being discussed and being thrashed out. They were discussed again at Madras recently in the recent conference that was held there.

I think this is a historic turning-point, for the simple reason that in a country which has four hundred million population whose standard of life has been very low, and which wants to catch up with the rest of the world as quickly as possible, production is a very important factor; and production must go up. The worker is an important element in any industry in this regard; it is neither management nor capital nor machinery; granted that all these things are there, unless the worker is satisfied, and he puts forth his best effort, nothing could be achieved.

Therefore, Government sought the help of the working class for productive purposes. In the wake of this, they invited the management's attention to many of the drawbacks the labour has been suffering from

[Dr. Melkote]

throughout, and the affairs are being set right now.

One of the decisions that the Naini Tal conference took was that the efficiency of the industry should be improved, and for that purpose, there should be a code of discipline that the worker would put in his very best. The workers, on the other side, put in a number of counter-proposals that there were strikes, there were lock-outs, the wages were low, and that the management saw to it that the workers did get a fair deal. The conference came to certain decisions on this matter, and it is this aspect of the matter that I want to highlight today. It decided that wherever and whenever a strike or a lock-out took place, an assessment of the situation would be made. The management or the management's representatives on their side would try to assess the situation, and if the management were cussed in respect of the lock-out or in any other matter, they would be advised by the representatives of the management to give a fair deal to the workers. If they did not, then they would not get the support of Government. Government would withdraw their support and help the labourers to strike and go ahead. This is a very important decision.

Similarly, production has to go up. Unnecessary strikes on the part of labour are also not welcome in the country. If, therefore, an unnecessary or un-called for strike was resorted to by the working class, the representatives of labour would also undertake to examine the situation and advise the different unions. If the union concerned had resorted to the strike unnecessarily, the representatives of labour at the national level would not lend their support to that union. They would ask the union to withdraw the strike. If the union did not withdraw the strike, it would not get support from the trade unions and from the working class in the

country. Government also would not support it and the management would become more vigilant and more strong.

It is in this way that the whole aspect of the question is being looked into. It is not a question of an individual management or of an individual union. It is at the national level that every aspect of individual industries and unions are being looked into and decisions taken to resolve problems. Thereby an attempt is made to avoid lock-out by the management and strike by the workers.

This assessment of the Naini Tal Conference is already reflecting itself in the number of strikes and lock-outs that has been there. During this year, the number of strikes and lock-outs has been the minimum and the number of working days lost has been the minimum. As a consequence, productivity in the country has gone up very much. This is a welcome feature for the whole country. This is an aspect of the question which is to a large extent responsible for the present better relations between management and labour. Of course, we are too near the picture as things stand. These things have got to be tackled and more and more adjustments and understandings have to be arrived at between labour and management.

There is also another aspect of the question which was being touched upon by a few Members. That was with regard to the code of conduct. Here in India unfortunately, we have numerous trade unions and on account of these trade unions and their differing ideologies, in the same industry there are various unions. This will certainly not help the workers for getting a better deal from the management whenever occasion arises. It would be nice if these things are no longer there. But as things are, this situation is inevitable. So far unions have been abusing each

other, much to the benefit of the management. Oftentimes, the management also takes notice of this and helps itself by trying to divide the unions. The trade union leaders themselves came to an understanding—this kind of thing did not take place openly and publicly—that they would, so far as the management is concerned, act unitedly. This is again one other feature which is most welcome.

The reflections of these decisions at the Naini Tal Conference would be seen in the future. It is from this point of view particularly that I welcome the decisions and the Report of the Naini Tal Conference and hope that in future things would be better.

**Shri N. R. Muniswamy:** Mr. Chairman, Sir, I shall be very brief. From the discussion I find there are three interests involved in this. One is the workers, the other is the management, that is the employers and the third is Government.

I find that speeches here have invariably been having the interests of the workers in mind; and there have also been speeches for the employers. And, there is going to be a speech by Government where the Government is interested as a third party.

16.21 hrs.

[**MR. SPEAKER** in the Chair]

All these three parties, I think, are running a race, as much as possible for their own benefit. (*Interruptions*). So far as the workers are concerned they want to get as much money as possible and as little of work. As far as the employers are concerned, they want to give less money and get more work. In this dispute, the Government want to have industrial relations and the maintenance of peace.

We are all aware that for the industrial or economic development of our country two things are essential, the maintenance of industrial relations as also the building up of sound

labour management relations. One has also to bear in mind that these labour organisations are being controlled by outsiders. I am against the principle that trade unions should be led by politicians or outsiders. Many of these strikes and lock-outs could be avoided provided we do not have this system of having outsiders to manage the affairs.

So far as trade unions are concerned, unlike other countries even the politicians who enter into the trade unions . . .

**Shri T. B. Vittal Rao:** Is this relevant to the Report of the Conference?

**Shri N. R. Muniswamy:** I am not repeating something given out by other Members. That will not help us. We are in a different era altogether, an era of industrialisation. . . .

**Shri T. B. Vittal Rao:** Mr. Speaker, Sir, I ask your ruling; are we going into extraneous matter?

**Shri N. R. Muniswamy:** I am not yielding. The time given to me is only 5 minutes and I cannot be listening to the hon. Member. In this respect it may affect him because he wants to have leadership. I am only saying that if industrial development is to be made by all these conferences, outsiders should be avoided. I am only saying that we want to develop our country economically and industrially and, as far as possible, we should see industrial relations and sound labour-management relations established. On that basis I am saying that if outsiders are allowed to enter into these things they create trouble. If there is no such thing and if there is only legislation, whereby outsiders will not be allowed, then we can have everything done and done amicably. Both labour and management can work very well.

**Mr. Speaker:** The hon. Member thinks this will not be necessary if outsiders are not allowed. That is

his point (*Interruption*). It applies to all sections; it applies to this conference; it applies to the INTUC also.

**Shri Anthony Pillai:** The Minister of Labour is also an outsider. (*Interruptions*).

**Mr. Speaker:** All that Shri Muniswamy seems to imply is that all these disputes etc. seem to be between politicians and therefore no real labour dispute is there. If it is there it will be solved if the labour executive consists only of labour. That is the point, I think.

**Shri N. R. Muniswamy:** Government is interested in maintaining good relations because we are interested in productivity. They want productivity to go up. Between these two people, the employers and the workers, Government have to come in. They cannot be watching these disputes.

Leaving aside the general discussion let me come to some of the points that have been raised in the conference. Much has been said about the code of discipline, training in industries and housing facilities and other things to workers. I do not have any grievance about these. They must be given everything. But I should insist upon one thing before the House.

There are certain industries where there is no organised labour union. So people who have not been guided by the workers or even by outsiders have started these strikes etc. as a result of which there is no production. Productivity is jeopardised. So, so far as these small-scale and village industries are concerned, where there is no organised labour union or even outsiders guiding, in those cases, I want Government to take into account that they should also be included in any remedy that may be suggested in this conference. It has been stated in the earlier conferences that the principle of equal pay for equal work should be vigorously implemented. Here the emphasis is given to equal

pay. Now, it must be true conversely also. There must be equal work for equal pay. Unless this is insisted upon it will work havoc and there will be no production.

Now, with regard to the training given within the industries, I wish to say this. In certain industries, training facilities are not given to the workers. People are asked to do certain work without giving them training in the techniques or even the necessary facilities. In some cases, the training facilities are not adequate or consistent with the work that they are called upon to do.

Some other aspects have been pressed by my friends who spoke earlier. Cordial relations between the employer and the employee are necessary for our economic and industrial development. Government should not interfere unnecessarily where there are no disputes at all or in disputes that could be settled among themselves. Even where a dispute is likely to arise but has not actually arisen, if the Government gives certain suggestions which are not quite relevant at that stage, they take a hint and start further trouble. Talk of consultation or conciliation before the contingency has arisen will always lead to some suggestion and it will lead to trouble. So, consultation with the labour union in likely disputes should be avoided. Of course if the strike actually takes place, it may be started. On the whole, I approve some of the recommendations and the House may approve the recommendations made in the light of the observations made here.

**Shri T. B. Vittal Rao:** Mr. Speaker, Sir, I shall not refer to the many things that have already been referred. I will just refer to one or two items of great importance. This Labour Conference actually reviewed what has been laid down in the chapter on labour programme and policy in our Second Plan. It reviewed the appointment of wage boards. This

was very important because since the beginning of the Second Plan, there was a fall in the real earnings of the workers as compared to the previous years. Keeping the index of real earnings of the workers in 1939 at 100, the index went up to 113 in the beginning of the Second Plan. After that there was a steady drop in the real earnings and it has reached the level of 105 in 1957 and it is bound to have fallen further below even the 1939 level. That is the condition of the wage earners in our country. We improved the position of the workers in the First Plan and reached a level which was more than the 1939 level, but during the Second Plan we come to the 1939 level when our country was ruled by foreigners. Is this the way that the wage policy of the Government is to be guided? It was decided to appoint wage board for the iron and steel industry. It was decided to appoint wage boards for the chemical industry. Even after two years we do not know what has happened. We were told in the last meeting of the consultative committee held in September that wage boards for chemical industry and iron and steel industry will be appointed. There is no news about them. I do not know when they will be appointed. This is the way, Sir, how decisions are being implemented.

In the Second Plan, it was decided that wage boards are to be appointed for industries and on the basis of the recommendations of the wage boards we should have a Wages Commission which should formulate a wage policy for the wage earners and the Government's policy regarding wages. Whenever we raise any question they say that the consumer's interest will be affected. Increase in the wages of workers has never led to inflation; it has been proved beyond doubt. That myth was exploded long long ago by economists; they have said that inflation depends entirely on the fiscal and monetary policy pursued by the Government. I do not know when a stop will be put to this sort

of non-implementation of the decisions taken by the Indian Labour Conference.

I will not take up the work of the evaluation and implementation committee. It was our Labour Minister who conceived this idea and it was he who put this suggestion before the Standing Labour Committee in the year 1957. On the basis of the recommendations of the Standing Labour Committee it was further discussed in the Labour Conference and a shape was given to the proposal. I happened to take part in the first meeting of the Evaluation and Implementation Committee. Some good work was done during the first six months. What has happened after that? A sort of complacency has set in; not only there is complacency but they act in a slow way. I referred one case to the Ministry and I got a reply after nine months that there was no breach of the award. On a complaint that there was a breach of the award the evaluation and implementation Committee took nine months to say that there was no breach of the award. Is this the way that our Evaluation and Implementation Division is going to work? If that is so, the workers will never have any confidence in this committee.

This was mainly meant to see that industrial disputes in our country are reduced and awards are properly implemented by the employers. In the beginning the workers had some confidence in this committee. If work goes on at this rate I am sure that confidence will be shattered. What about the report of the enquiry into the Calcutta Tramways workers strike? When did the strike take place? When was the committee appointed? We were told that it was a one man committee with six assessors. We can understand the delay when there are six assessors, but delay beyond a point cannot be understood. Where is that report? If it had been placed on the Table we could have discussed it. It was a

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strike conducted by all the trade unions together against the British employers of the Calcutta Tramways who were supported by the State Government then. If we had the decision with regard to that strike we could have known whether the workers' representatives, the trade unions were wrong or the employers were in the wrong.

Shri Anthony Pillai pointed out about the enquiry into the Bombay strike. We would like to know whether the workers were justified or not in going on strike. I can only point out here, Sir, that justice delayed is justice denied.

Then I come to the question of the employees' provident fund. What is it that prevents the Government from increasing the contribution from 6½ per cent to 8½ per cent? Our Labour Minister goes and says that the workers should be saving-minded. A worker is already suffering a real cut in his real earnings. The worker is asked to contribute to the national savings. He is prepared to contribute to the provident fund. But the employer are not prepared. Wherever it affects the employers, this Government have been taking the attitude which is in favour of the employers as against the workers. How long has this question of increase in the rate of provident fund been pending? We were told that the matter was under consideration of the Study Group appointed to go into the question of comprehensive social security measures for workers. That Study Group also recommended that immediately the rate should be raised, because a person who retires now, due to the delay in the enforcement of the increased rates in the Employees' Provident Fund and the Coal-mines Provident Fund, gets a very meagre amount. A person who retires today after 30 years' service in a factory or a mine receives a paltry sum of Rs. 400 to Rs. 500 as his provident fund. Is it sufficient to sustain him in his old age? I do not know

why these delays are occurring. Industrial production has increased, according to the statistics of the Government themselves, from index 100 to 140, from 1951 to 1958. According to the Government's own statistics, there has been a steady increase in production in many fields of industry. But yet, the Government does not touch the employers. There has been a steady growth of profit which the employers have been receiving. Whenever the employers say that they are affected a little by an increase in the cost of raw material, the Government are ready to give them a price increase, but when it comes to the question of workers, their attitude is most unhelpful.

Is this the way that we are going to implement the decisions as outlined in the second Five Year Plan and is this the way we are going to build up a socialist pattern of society? On workers depends the production in the country. On the labour force depends the production of the country. Is this the way the workers are going to be treated? Is this the way the Government are going to enforce or implement what has been laid down in the labour policy? The policy has been arrived at on the unanimous recommendation of the representatives of the workers, representatives of the employers and the Government, sitting together. It is these three representatives who have evolved this policy. The Vice-Chairman of the Planning Commission was present; the Finance Minister was present; the Planning Minister was present; the Labour Minister was present. The representatives of the Government were present. And yet, if this is the way these recommendations are going to be treated, I am sure this policy is not at all going to enthuse the workers. It will only lead to come more disharmony. The patience of the workers has reached the saturation point and the workers cannot wait till the Government moves. If action is not taken quickly, I am afraid there will be more infi-

trial disputes and your code will go out.

I have only one more point, and that is regarding the closure of the factories. In the 16th Labour Conference, certain formulations were made on this subject. The Bengal Nagpur Cotton Mills who were producing the best mosquito curtains in India have had to close down and are shown to have incurred some loss due to the mismanagement of the owners of the factory. First, a technical survey team was appointed and it went into the question. Then another committee known as the Somani Committee was appointed to go into the question and find out whether the textile factory is good or not. If this is the way in which things are done, what is the use of having a conference and taking decisions and not implementing them? Therefore, if you want to do justice to the workers who have increased the production and who have increased the national income and wealth of the country, these recommendations should be implemented.

Shri S. M. Banerjee rose—

Shri K. N. Pandey (Hata) rose—

Mr. Speaker: Shri K. N. Pandey. Only a few minutes are left.

Shri K. N. Pandey: Within the few minutes that I have at my disposal, I shall try to put a few points before this House. First of all, I refer to the point raised by Shri T. B. Vittal Rao about the prices having gone high in this country. Recently I had been to Switzerland for a week to attend a seminar on "workers education". I had been there in 1953 also. There, I found that although developmental work on a very high scale has not been undertaken by Switzerland, the prices have gone up one and a half times. So, taking into consideration such large-scale development having been taken in this country, inflation is bound to come. Nobody can avoid prices having gone up. But we have to see whether the Government is sincere to do something for the

workers or not. They have appointed four wage boards and they are going to make their recommendations. Can we doubt the sincerity of the Ministry in trying to improve the wages of the workers? They are going to appoint several other wage boards.

About the code of discipline, the purpose of calling that conference at Naini Tal was to minimise the number that the strikes lock-outs. Can we say that the number has not gone down? If it has gone down, then I think the Naini Tal conference has succeeded. Good atmosphere can be created with regard to other problems also if tripartite conferences of similar nature are convened and decisions are taken.

Under the employees' State insurance scheme, if the benefits are extended to the families of the insured persons, it will affect a large number of people and adequate arrangements for hospitals have to be made by the States before it is extended. The moment that is done, it will be come all right and the scheme may be extended to the families. In my State it is being done and in some other States also, it is going to be extended. So, the Ministry cannot be charged further on that score.

About the enhancement of the provident fund rate, I appreciate the idea that the rate should be enhanced. I agree there is a pressing demand that the Government should take concrete steps, so that the rate may be enhanced.

One Member referred to the fact that although there was a conference here of the representatives of public undertakings, the code of discipline has not been introduced there. Taking the biggest public undertaking, i.e. the railways, the employees themselves have objected to the code of discipline being introduced there, because some of the advantages they are availing of at present are more than what can be given to them by the introduction of this code. So, some hindrances are coming from the

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workers' side also. We cannot doubt the sincerity of the Ministry, because they are making sincere efforts so that the code of discipline may be introduced there also.

Shri Sharma referred to invitations being extended to the Ministers of Food and Agriculture and Information and Broadcasting. I have no objection. So far there is no provision to guarantee the security of service to the agricultural workers. If somebody is ousted, his case cannot be referred anywhere. Of course, I support the idea of inviting the Food and Agriculture Minister because I represent sugar workers and that is the subject of the Food and Agricultural Minister. Let the Broadcasting Minister also be present, so that if some cases about Press workers are raised, he can give a proper reply and he will also be bound to apply the decisions taken in the conference. Referring to the decisions taken in the Nainital Conference, we have to see whether the Ministry is sincere or not to get those things implemented.

So far as the works committee is concerned, a Member made a reference to its failure. I proposed this idea sometime before in this House, viz., let a committee be formed to enquire as to why the works committee failed. What are the effective measures which can be taken to advise them, or to make them more effective? That is a matter which will take some time. So, if the Ministry also thinks it necessary, as I think, because I actually work in the labour field, let a committee be appointed, so that an enquiry be made as to how the works committee can be made effective. That will be a very profitable thing in the interests of the Ministry, the workers and everybody concerned.

Shri AMD Ali: These Conferences are of the ILO pattern, except that there vote is taken for or against and issues decided by majority whereas here these conferences take decisions unanimously, though sometimes it

becomes necessary to take a sort of unwilling consent. So far as we are concerned, we are also parties to these decisions and we earnestly make all possible efforts to implement them within the shortest possible time. But it has always a comparative value. Locusts lay eggs and these eggs produce locusts within a few hours, whereas chicken take 21 days and human beings nine months and so on. Now, you cannot say that because the chicken are not able to lay eggs within a few hours so there is delay. Everything can be done only within the time according to the requirements of the particular subject.

With regard to attendance in these conferences, it is not proper to assume that some of the Ministers have not been invited, because their presence is not mentioned in the report. We invite all the concerned Ministers. It may be that some could not attend for various reasons.

So far as agriculture is concerned, that subject is within the State sphere, and all States which are represented in these conferences are certainly very much alive to their requirements also.

The territories which are administered by the Centre are represented through the Central Ministers. Therefore, we purposely did not invite anyone from these territories.

My good friend has made a reference to Germany. It is true that it was a defeated nation and has made substantial progress. We are very much in contact with what is happening there and in other countries. Some of our friends visit those countries and we get reports also from them. The progress which they have made is, of course, because of the non-existence of anti-national elements there.

I fail to understand the criticism with regard to the Employees State Insurance Corporation, because the family members are already covered

by this scheme. Actually, the people covered by this scheme is increasing and about 6,80,000 family members have been covered in recent months. Also, it is being extended to areas which are now not covered by the scheme. I am sure hon. Members already know the programme of work.

Some reference was made to public sector. As a matter of fact, in some of the public sector a section of workers are much better off than in the private sector. They have got security of service and other amenities. And, as has just been mentioned by my friend from Uttar Pradesh, the feeling among the workers themselves is that perhaps they may not be so better off if they accept this system which is under discussion now, than what they are getting at present.

The hon. Member, Shri D. C. Sharma, referred to our relations with China. Then, another member from that side was saying "if this is not done" "if that is not done" and so on. There is no question of "ifs" and "buts" so far as the Indian workers are concerned. They are sufficiently Indians and patriots and they do not want any bribe to become good Indians whenever they are needed to produce more. Even now, as has been admitted by everybody, their production has increased considerably and they will increase more. It is good that our Indian workers have realised who are the real Indians and who are anti-Indian. They are disowning that element which is anti-Indian and they are being just separated as a fly is put off from the milk.

A friend from Punjab said about Works committees. Hon. Members who are connected with this will be aware that so far as this particular subject is concerned, investigation is in progress and whatever is necessary will be done to make these committees more effective. So far as the appointment of a committee on that, particularly of M.P.s, is concerned, my feeling is that this will not be very much helpful.

Also about the Five Year Plans, a suggestion was made that a committee should be appointed. We ourselves are having a study about the progress which is being made with regard to the programmes undertaken by the Five Year Plans. We feel that sufficient progress has been made and will continue to be made.

My hon. friend from Madras, Shri Tangamani has mentioned about the amendment of the Trade Union Act concerning application by seven members. It was said that after they apply, even though they may cease to be workers, the application should remain. It is true that even now, seven workers are required to submit an application for registration of a trade union. After the adoption of the proposed amendment during the Naini Tal Conference, not one complaint has been received on that account. It will be a small amendment. Unless it becomes a very urgent matter, we do not come forward with one amendment to an enactment. Whenever necessary, we are ready to amend the Act. There is no question of delaying it. When other amendments also become necessary, it will be undertaken.

Regarding provident fund, when my hon. friend Shri Anthony Pillai was speaking, I meant that so far as 50-20 factory employees were concerned, it was not accepted by the employers. The other one was accepted at Naini Tal. What we have to ensure is that because of the imposition of the additional burden on the industry, no factory should close. The workers will always prefer not to have provident fund, but to have employment. By adding the provident fund, if the factory is closing, certainly, it will be not only to the detriment of the workers, but it will be detrimental to the country also. Therefore, we should be very careful. We are having a study to be sure that because of this additional burden, the factories will not close. Wherever it will be found that this will be bearable by the industry it will be imposed.

**Shri Anthony Pillai:** I referred to industries whose capacity is undebatable—petroleum and cigarette making industries. Where is the question of an enquiry in such cases?

**Shri Abid Ali:** Wherever we are sure that the application of this will not adversely affect, we will enforce.

One point was made about fragmentation. I may submit that the present Act covers gardens having 25 acres or more or 30 workers or more. A draft Bill is already ready and I hope that it will be introduced during the course of this session and if not, possibly early next session, to check fragmentation about which both my hon. friends from the south have made complaint. Regarding publication of reports of some enquiries, I was very sorry. It is like

पार पुलिस इंसेक्टर को हडे मारे।  
I do not make these things public but as it has been forced on me. I may submit with all humility that if the organisations to which the respective hon. Members belong or the unions concerned write to us to publish the relative report, I will do it, the very day I receive that letter. I am making that statement here. Let the HMS or the union concerned write to us. The day we receive the letter that the report should be published, it will be published.

Similarly, with regard to the tramways, I may tell my hon. friend who has made the complaint, that he should make enquiries from his colleague from Calcutta who was on that committee as to how many months he has sat on the notes which were sent to him for approval so that the report may be drafted. It is because of him that the report has been delayed.

About Jamshedpur, I make the same statement. Let the Jamshedpur union of the hon. Member or his organisation, the AITUC, write to us. The day they write to us, we will publish the report. I am making that statement here.

There was some understanding. Now they want us to do something else. We accommodate them also. About that I am making no complaint, but after having accommodated them if they make this criticism here I cannot stand that.

**Shri T. B. Vittal Rao:** As a responsible office-bearer of the All-India Trade Union Congress, I hereby tell the Minister to publish these reports.

**Shri Abid Ali:** No, that will not be proper because some more responsible office-bearer than him has told us something else.

**Shri T. B. Vittal Rao:** On the floor we want it.

**Shri Tangamani:** He is throwing out a challenge.

**Mr. Speaker:** He is not satisfied. There are the heads of particular unions. Now what he has said is going to be published in the newspapers. There is nothing secret. Therefore, in view of the hon. Minister's statement, the hon. Members may make enquiries amongst their own people and then write to them in a formal manner, and certainly the hon. Minister will stand by his assurance.

**Shri T. B. Vittal Rao:** I will write a letter tomorrow morning.

**Shri Anthony Pillai:** That particular point may be applicable to my hon. friend, but I am the highest office-bearer in my organisation, and I ask the Minister to publish the report.

**Shri Abid Ali:** That will be done. We will publish the report as it is.

As the hon. Member has made a reference to it, I may say that after the report was submitted, the union concerned submitted a rejoinder. Now we have to think what to do with it. Should we have the employer's point of view after the report is ready? All this procedure has to be followed. There is no end

of anything here, and we have to accommodate because it is a tripartite conference, because we want the code to function. We do not want to stand with a whip and say, "You have committed a mistake, you have behaved like a bad boy", and expose them. That is not our intention. The intention is there should be industrial

peace and as it is called शांति की शर्म but if it results in this sort of criticism, then have it. I will be sorry for it.

With regard to the speech of Shri Vittal Rao, perhaps he was under the impression that it was a Budget debate and not restricted to a discussion concerning this particular item. He has referred to earnings and so many other things which are not at all relevant to this subject. However, I may submit that the earnings of the workers have definitely gone up to the extent that in the Ahmedabad textile industry dearness allowance was paid up to Rs. 95. It goes up and down according to the cost of living index, but there are some places, I quite realise, where very recalcitrant elements have influenced the minds of the workers and disturbed the atmosphere which has come in the way of organising real trade union movement, genuine, sound trade union movement, for the good of the workers. Such exploitation by some of the political parties has resulted in the workers not getting enough of earning and their full share in profit. That is quite obvious.

**Mr. Speaker:** Do the wages not depend upon the quantum of work always?

17 hrs.

**Shri Abid Ali:** Not everywhere.

**Mr. Speaker:** Is there no minimum fixed?

**Shri Abid Ali:** A minimum is fixed, but the minimum does not keep pace with the requirements of the increased cost of living always.

**Mr. Speaker:** I want to know whether there is a standard by which a minimum has been fixed for which so much of wage will be given; if the minimum is not reached, I found in some of the East European countries, there is 20 per cent deduction; if the minimum is exceeded, then *pro rata* higher wages are given.

**Shri Abid Ali:** That is so in some of the sectors and in some of the industries here also.

**Shri Anthony Pillai:** Did you find any sound and strong trade unionism in Eastern Europe where that is done?

**Mr. Speaker:** I have got my own story about all that.

**Shri Abid Ali:** Take, for instance, coal. The rate of Rs. 10 a week has been more than doubled, because some good people there interested themselves in a sound trade union organisation, and they have been able to benefit the workers substantially.

**Shri Tangamani:** In some industries, there are piece-rates, and in some others time-rates.

**Shri Abid Ali:** That is correct.

About Employees' State Insurance Corporation, something was said regarding maternity benefit. Maternity benefit has already been increased; the quantum has been increased as per the decision, and I do not know why this complaint has been made here. Although there may or may not be any change in the Act, yet, the workers have already started getting the benefit of it.

**Shri Tangamani:** I may also refer here to the Rs. 30 benefit to the wives of the insured persons during their confinement period. It was stated that the matter was being discussed in consultation with the State Governments. I want to know what has happened to that.

**Shri Abid Ali:** My hon. friend knows that we are in consultation with the State Governments, because this is a concurrent subject, and they have also got to bear a part of the expenditure. Their feeling is that they are spending much more on the insured persons as compared with that on other citizens. So, we do persuade them. And their budget provisions also have got to be taken care of.

About amendments to the Industrial Disputes Act, as hon. Members know, some of the items were discussed at the various conferences. Then, we called a special committee for this in Bombay in January last, to which my hon. friend has already made a reference. Our difficulty is that we are required to go on consulting central trade union organisations and employers' organisations and so many others concerned at various stages, as it happened in the case of the Mines (Amendment) Bill. After three years of discussion, the Bill was introduced in the last session of Parliament, but, yesterday, we again had a demand that the Bill should be referred to a Select Committee. Although every interest had been consulted jointly in the tripartite committees and separately as well, and all concerned were given opportunities to discuss with us and place their points of view which have been always taken into consideration. Consequently, we have ourselves submitted amendments to the Bill which is under discussion. So, all points of view are met, and yet, reference of the Bill to a Select Committee is being demanded.

My submission is that we do try to meet the various points of view; we try to convince everybody of the necessity of these proposed changes, and, therefore, much more time is taken than we ourselves would have liked, to bring forward the Bill before the House. Some of the amendments have been finalised, so far as we are concerned. I hope that the amending Bill will be introduced, I do not think, in this session, because it will not be possible, but perhaps during the next session.

Therefore, these delays are taking place. Hon. Members themselves demand after a conference—in the conference they will never decide—that the matter may be referred to their organisations; and their organisations take time. To blame us for this in the House is not very fair.

Therefore, I am very sorry I do not find anything genuine with regard to the complaints made so far as the decisions of the Naini Tal Conference or their follow-up are concerned. However, this debate has been fruitful, and we shall try to implement as far as is possible and practicable whatever suggestions are given.

**Shri S. M. Banerjee:** Certain mutual agreements were arrived at the Naini Tal Conference about ending inter-union rivalry, and certain suggestions were placed before the conference by the AITUC. May I know what action has been taken by the Minister thereon?

**Shri Abid Ali:** Inter-union rivalry is likely to end when these parties will come to an end.

**Shri S. M. Banerjee:** This is no reply. After this Conference, the hon. Deputy Minister formed a parallel federation of Defence Ministry employees. That is my charge against him.

**Shri Abid Ali:** Yes, that is very true. I am very glad that a national federation has been formed by the Defence employees. What is wrong in it? They are at liberty to do it. In Bombay, there is a representative, recognised, legal, popular, full-fledged working textile labour union. Still my hon. friends thought that it would be helpful to themselves to form another organisation there.

As I said, these rivalries among trade unions will come to an end when, as my hon. friend from Madras suggested, those who are working in the trade unions, the 'outsiders' as they are called, leave the trade union field or political parties stop exploit-

ing them. So far as I am concerned, I will never leave it because I have been a worker myself since my childhood. I will be in it always.

Hon. Members can be sure of that.

**Shri S. M. Banerjee:** This is a very serious matter. I can tell you that the hon. Member was a party to that decision at the Naini Tal Conference that inter-union rivalries should come to an end because it is necessary in the larger interests of the country. Now the hon. Minister is defending himself regarding the formation of another union.

**Shri Abid Ali:** Not a party. If patriot workers want to get rid of traitor workers, why should I come in the way?

**Shri S. M. Banerjee:** What does he mean by 'patriot workers'?

**Mr. Speaker:** Some workers do so. As Shri N. R. Muniswamy said, the only other alternative is that others should not enter into these organisations.

**Shri S. M. Banerjee:** I agree.

**Shri Tangamani:** Let there be no outsiders in trade unions.

**Shri T. B. Vittal Rao:** The hon. Minister has not said anything about the Wage Board for the chemical industry regarding which a decision was taken at the 15th Labour Conference, which was stated at the 16th Labour Conference to be under the consideration of Government.

**Shri Abid Ali:** So far as my recollection goes, I am not prepared to admit that the 15th Labour Conference passed any particular resolution mentioning a particular industry for the constitution of a Wage Board. If I remember aright, a long list was mentioned. If the hon. Member is under the impression that if any one delegate mentioned the name of any particular industry for the appointment of a Wage Board, it is a Con-

ference decision, it is not correct. They made a suggestion that there should be Wage Boards for these industries. I remember that. We did not make any commitment. Of course, this is subject to verification as I am speaking from memory.

**Shri Anthony Pillai:** With regard to the question of extending the Code to the public sector, no reference at all has been made by the hon. Minister.

**Shri Tangamani:** That was referred to by many hon. Members.

**Shri Abid Ali:** I said that some of the workers in some industries feel that they have got better security of service and rules concerning settlement of disputes etc. Also, the matter is under the consideration of the Ministries concerned. They have to settle with their workers. If both of them agree, we shall be happy.

**Shri D. C. Sharma:** Whenever any question relating to the workers of our country is discussed in this House, there is an exhibition of tempers. I have always seen that.

**Mr. Speaker:** I thought it was cool.

**Shri D. C. Sharma:** I am very glad that today the discussion has been held in a very calm manner and the whole question has been discussed in a very friendly atmosphere.

Three things have emerged from the discussion. In the first place, I am very glad to hear from the Deputy Labour Minister that the workers are in good heart and that whatever may be said about them, they will not be found wanting. They are already working very hard for the country's good and if an emergency arises, they will be at their very best. I am very happy to hear that.

The second thing that has emerged is this, that this Central Labour Ministry has very good intentions, and wants to improve the lot of the workers. There is some kind of slack-

[Shri D. C. Sharma]

ness on the part of the State Governments. After all some of these measures have to be implemented by the State Governments. And, unfortunately, the State Governments do not have as much of social urgency as the Union Ministry feels. I hope the Central Ministry will be able to infuse the State Governments with a sense of social importance of these measures and they would not be found wanting in implementation.

The third thing which has emerged from this debate is that implementation even at the Centre is not as adequate as it should be. It is because this machinery was set up or devised, perhaps, for the good old days. Now we have undergone a great deal of change. Our country is more and more progressive. We have to deal with larger and larger numbers every day. Our problems are increasing day by day. Therefore the implementation machinery has got to be increased. At the same time, this machinery requires to be given a new sense of fulfilling its task, of doing its work in as short a time as possible.

I am sorry to find that there is inter-union rivalry in the country; and I find something like that on the floor of the House also. It is reflected in a very small way in this House. I think one of the greatest problems that the Labour Ministry faces and the workers of India face today is this. There should be no inter-union rivalry and there should be one union for every industry and that union should work for the maximum benefit of the workers. I think the workers will gain greatly, my country will gain greatly and we will all gain very greatly if the workers are kept away from political influence of any kind. We also say that the workers should

be kept away from professional leadership of any kind which is not always desirable. If that happens, I am sure our workers will find that this country is a very fine country to work in and the employers will find that the workers are very good allies in the adventure of building up the country; and all of us will feel happy because employer and labour relations will improve.

I do not agree with some of the remarks made about the Ministry that it is pro-employer. From the employers I hear that it is pro-worker. So, the Ministry is very often pro-worker and sometimes pro-employer. I have not seen such cases. But I hope the Ministry will continue to hold the traditions of being pro-workers, of giving the workers a fair deal, a good deal and an adequate deal. I hope the lines along which it has been working all these years will be the lines along which it will continue to work in future also.

**Mr. Speaker:** The question is:

"That this House takes note of the Summary of Proceedings of the Sixteenth Session of the Indian Labour Conference, laid on the Table of the House on the 11th August, 1959."

**The motion was adopted.**

**Mr. Speaker:** The House will now stand adjourned till 11 o'clock tomorrow.

17.15 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Thursday, December 10, 1959/Agrahayana 29, 1881 (Saka).

[Wednesday, December 9, 1959/Agrahayana 18, 1881 (Saka)]

ORAL ANSWERS TO  
QUESTIONS . . . . . 4075-4110WRITTEN ANSWERS TO  
QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS	S.Q. No.	Subject	COLUMNS
697	Loans from foreign countries.	4075-78	722	Steel supply to Andhra Pradesh	4118
698	Prize Bonds Scheme	4078-79	723	Lease for coal	4117-18
699	Bolani ores (Private) Limited.	4079-82	724	Flood victims in West Bengal	4119
700	Autonomous Board for welfare of Backward Classes	4082-84	725	Purchase of jet helicopters	4119
701	Reading material for neo-literates	4084-87	726	Gold deposits in Madhya Pradesh	4119-20
702	Manufacture of galvanised wire	4087-89	727	Purchase of drilling rigs from Russia	4120
703	Extension of jurisdiction of Election Commission and Supreme Court to Jammu and Kashmir State	4090-91	728	Output of steel in Bhilai and Rourkela	4120-21
704	Film clubs in universities	4091-95	729	Lodging of criminal complaints	4121
705	Manufacture of Avro 748 aircrafts	4095-99	730	Delhi students	4121-22
706	New price formula for petroleum products	4099-4104	731	Police Firing in Manipur	4122
707	Theft of currency from train	4104-06	732	Burglary in jewellery shop in New Delhi	4123-24
710	Production of film projectors	4106-07	733	Technicians for iron and steel Industry	4124
712	Muslim League	4107-10	734	Double Taxation	4124-25

WRITTEN ANSWERS TO  
QUESTIONS . . . . . 4110-91

S.Q. No.	Subject	COLUMNS
708	Stores in Central Ordnance Depot	4110-11
709	Reserves of gypsum in Kashmir	4111
711	Life Insurance in the Rural Areas	4111-12
713	Tin plates	4113-14
714	Fall in standards of education	4113
715	Private Schools in Delhi	4113-14
716	Commercial Banks	4115
717	Thefts in Pulgaon Military Depot	4115
718	Small Savings	4116
719	Janta Policy	4116
720	Oxygen plant at Rourkela	4116-17
722	Trial by Jury	4117-18
90 (AI)—LSD—9		

WRITTEN ANSWERS TO  
QUESTIONS—contd.

S.Q. No.	Subject	COLUMNS
749	Free and compulsory primary education.	4133-34
750	Common Police Reserve Force in Northern Zone . . .	4134-35
751	Criteria for determining backwardness . . .	4135
752	Murder in New Delhi . . .	4135-36

U.S.Q.  
No.

1140	Welfare of S.T. and S.C. in Bombay State . . .	4136
1141	Old paintings . . .	4136-37
1142	Arts and crafts in Delhi Middle Schools . . .	4137
1143	Income Tax collections in U. P. . .	4137-38
1144	Protected Monuments . . .	4138-39
1145	National Archives of India . . .	4139-40
1146	Trade and crafts facilities in Delhi Jail . . .	4140-41
1147	Commissioner for Scheduled Castes and Scheduled Tribes . . .	4141
1148	Monuments in Assam . . .	4141
1149	Grants to Gauhati University . . .	4141-42
1150	Nav Hind Girls Higher Secondary School, Delhi . . .	4142
1151	Strength of N.C.C. in Delhi . . .	4143
1152	Removal of untouchability in Himachal Pradesh . . .	4143-44
1153	Offences under the Untouchability (Offences) Act, 1955 . . .	4144
1154	Visas to foreigners . . .	4144-45
1155	Pay Scales of Andhra Pradesh Teachers . . .	4145-46
1156	Gifts of Hindi books to Andhra Pradesh Schools . . .	4146
1157	Welfare Homes in Delhi . . .	4146-47
1158	Aid to Political Sufferers in Delhi . . .	4147
1159	Aid to Political Sufferers in Punjab . . .	4147
1160	Pakistanis in India . . .	4148
1161	International Conferences on Education . . .	4148-49

WRITTEN ANSWERS TO  
QUESTIONS—contd.

U.S.Q. No.	Subject	COLUMNS
1162	Abduction cases in Delhi . . .	4149-50
1163	Grants to Calcutta and Saugar Universities . . .	4149
1164	Tribal Welfare . . .	4150-51
1165	Folk songs and paintings of U. P. . .	4151
1166	Translation of Acts into Hindi . . .	4151-52
1167	Import of steel from Japan . . .	4152
1168	Training of I.A.F. Personnel . . .	4153
1169	Basic Education in Delhi . . .	4153
1170	Expert Committee on Equipment for Engineering Colleges . . .	4153-54
1171	Production of pig iron in Rourkela . . .	4154
1172	Production and export of mica . . .	4155
1173	New Federation of Defence Employees . . .	4155-56
1174	Suspension of Employees in Defence Organisations . . .	4156
1175	Defective storage conditions at a Central Ordnance D:pot . . .	4156-57
1176	Advances to steel producing companies . . .	4157
1177	All India Scientific Service . . .	4157-58
1178	Duty concession to Oil Companies . . .	4158
1179	National Youth Centre, New Delhi . . .	4158-59
1180	Educational Aid to Orissa . . .	4159
1181	District gazetteers in Orissa . . .	4159
1182	Colonies for Scheduled Castes and Scheduled Tribes, Orissa . . .	4160
1183	Central loan to Orissa . . .	4160-61
1184	Tobacco cultivation in Orissa . . .	4161
1185	National Academy for Training Civil Servants . . .	4162
1186	House of Mirza Ghalib . . .	4162
1187	Payment of Hospital Stoppage by Defence Employees . . .	4163

**WRITTEN ANSWERS TO  
QUESTIONS—contd.**

**U.S.Q. Subject  
No.**

1188 Colonies for Scheduled Castes in U. P. . . . .  
 1189 Discrimination between Industrial and Non-Industrial Employees . . . . .  
 1190 Pension cases in Himachal Pradesh . . . . .  
 1191 Rehabilitation Department, Manipur Administration . . . . .  
 1192 Study of Civics in Delhi Schools . . . . .  
 1193 Forests in Andamans . . . . .  
 1194 Estate duty on agricultural property . . . . .  
 1195 S.C. and S.T. in Central Government Departments . . . . .  
 1198 Third Regular Temporary Establishment list . . . . .  
 1199 Third Regular Temporary Establishment List . . . . .  
 1200 Fish Market in Delhi . . . . .  
 1201 School of Archaeology in Delhi . . . . .  
 1202 Asar Mahal, Bijapur . . . . .  
 1203 Archaeological Engineers and Conservation Assistants . . . . .  
 1204 Hindu Religious Endowment Boards . . . . .  
 1205 Recall of Indian Major Generals from Malaya and Cambodia . . . . .  
 1206 Retirement age of professors . . . . .  
 1207 Craft Teachers in Kerala's Private Schools . . . . .  
 1208 Fire Brigade Staff in Defence Installations . . . . .  
 1209 Gulburga Engineering Colleges . . . . .  
 1210 Kuchipudi dance . . . . .  
 1211 Assistant Executive Engineers in M.E.S. . . . . .  
 1212 Multi-purpose schools . . . . .  
 1213 Tobacco cultivation in Punjab . . . . .  
 1214 Defence Lands in Kangra . . . . .  
 1215 Enforcement of money Lenders Act of Bombay in Tripura . . . . .

**WRITTEN ANSWERS TO  
QUESTIONS—contd.**

**U.S.Q. Subject  
No.**

4163-64 1216 Tribal Zhumias in Tripura . . . . .  
 4164 1217 Archaeological Circles in Mysore State . . . . .  
 4164-65 1218 Advisory Committee in Kerala . . . . .  
 4165 1219 Colombo plan . . . . .  
 4165-66 1220 Technical Assistance Programme . . . . .  
 4166-68 1221 Smuggling of opium . . . . .  
 4168 1222 Life Insurance Corporation Building in Nairobi . . . . .  
 4168-69 1223 Headquarters of Hindustan Steel L'd. . . . .  
 4169-71 1224 Scheduled Castes and Scheduled Tribes in Punjab . . . . .  
 4170 1225 Assessment of Income Tax in Hoshiarpur and Amritsar Districts . . . . .  
 4171-72 1226 Class IV Employees in Kerala . . . . .  
 4172-73 1227 Social Services Conference . . . . .  
 4173-74 PAPERS LAID ON THE TABLE . . . . .  
 4174 1) A copy of Notification No. G.C. MS 408 59 dated the 15th May, 1959 published in Kerala Gazette under sub-section (3) of Section 13 of the Kerala Cinemas (Regulation) Act, 1958 read with clause (b) of the Proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala making certain amendment to the Kerala Cinemas (Regulation) Rules, 1958.  
 4174-75 2) A copy of each of the following Notifications published in Kerala Gazette, under sub-section (3) of section 133 of the Motor Vehicles Act, 1939, read with clause (b) of the proclamation dated the 31st July, 1959, issued by the President in relation to the State of Kerala:

4175-76  
 4176-77  
 4177  
 4177-78  
 4178  
 4178-79  
 4179-80  
 4180-81  
 4181-82  
 4182

PAPERS LAID ON THE  
TABLE—contd.

(i) No. T.B.I.-10008/56PW dated the 1st June, 1959 making certain amendments to the Travancore - Cochin Motor Vehicles Rules, 1952.

(ii) No. T.B.I.-10008/56PW dated the 1st June, 1959 making certain amendments to the Madras Motor Vehicles Rules, 1940.

(3) A copy of Notification No. G.S.R. 1296 dated the 28th November, 1959, under sub-section (4) of Section 19 of the Medicinal and Toilet Preparations (Excise Duties) Act, 1955 making certain further amendments to the Medicinal and Toilet Preparations (Excise Duties) Rules, 1956.

(4) A copy of Notification No. G.S.R. 1297 dated the 28th November, 1959, under Section 38 of the Central Excise and Salt Act, 1944 making certain further amendment to the Central Excise Rules, 1944.

(5) A copy of the Directors' Annual Report of the Indian Mining and Construction Company (Private) Limited <sup>(as amended)</sup> for the year 1957-58 in substitution of the one laid on the Table on the 8th September, 1959, under sub-section (1) of Section 639 of the Companies Act, 1956.

MESSAGE FROM RAJYA  
SABHA . . . .

Secretary reported a message from Rajya Sabha that Rajya Sabha had agreed without any amendment to the Constitution (Eighth Amendment) Bill, 1959 passed by Lok Sabha on the 1st December, 1959.

COLUMNS

REPORT OF THE COMMITTEE ON PRIVATE MEMBERS' BILLS AND RESOLUTIONS PRESENTED 4193

Fifty-third Report was presented.

BILL INTRODUCED 4193-94

Manipur Land Revenue and Land Reforms Bill, 1959.

BILL PASSED . . . . 4194-4249

Further clause-by-clause consideration of the Dowry Prohibition Bill, as reported by Joint Committee commenced and concluded. The Bill was passed as amended.

BILL UNDER CONSIDERATION 4249-74

Further discussion on the motion to consider the Mines (Amendment) Bill and the amendments thereto for reference of the Bill to (i) a Joint Committee, and (ii) a Select Committee, was resumed. The discussion was not concluded.

MOTION RE : SUMMARY  
OF PROCEEDINGS OF  
THE SIXTEENTH SES-  
SION OF THE INDIAN  
LABOUR CONFERENCE

4275-4330

Shri D.C. Sharma moved for consideration of the Summary of the Proceedings of the Sixteenth Session of the Indian Labour Conference, laid on the Table on 11th August, 1958. After discussion the motion was adopted.

AGENDA FOR THURSDAY,  
DECEMBER 10, 1959/  
AGRAHAYANA 19, 1881  
(SAKA)—

Further discussion on the motion to consider the Mines (Amendment) Bill and passing of the Bill. Discussion on Demands for Supplementary Grants in respect of Budget (General), 1959-60

COLUMNS